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KENTUCKY STATE CONVENTION.

OFFICIAL REPORTS.

MR. R. SUTTON, CHIEF REPORTER.

MONDAY, NOVEMBER 26, 1849.

Prayer by the Rev. George W. Brush.

sire to see the experiment of electing judges fairly tested in Kentucky, though I acknowledge that I have not so much confidence in it as some gentlemen profess. We have been assured that there is no danger to be apprehended from that mode of selecting a judge. We have been assured that we have the light of experience in other states to direct us, and that this light so illuminates our pathway, that the way-faring illuminates our pathway, that the way-faring that this immense power in the hands of a correction of the control of the control of the citizens of the citizens of this commonwealth; and, to some extent, will have them in their hands. Will any gentleman venture to assert that this immense power in the hands of a correction. for a moment what that light is. Mississippi was, I believe, the first state in this union which ventured on the election of her inferior judges. She has been electing them since 1831 or 1832. In that state the circuit judges are required to interchange or alternate circuits. This interchanging is a conservative feature in her system;

We have been assured by honorable gentle-there? I acknowledge that I am not well in-Mississippi. I have been informed. been present and witnessed it, that during the pressure in 1836-7, that their judges, perhaps, and sheriffs, resigned to avoid holding courts and making sales of property, and were immediately re-elected. Such a course as that might suit a state where the degrine of republisher.

My friend from Simpson (Mr. Clarka) tell rein this state in 1823 and 1824, when the country was largely involved in debt, when ruinous sac. When speaking of the judiciary, he said was largely involved in debt, when ruinous sacrifices of property were made, by sales under execution, and when the legislature interposed dicial arm of the government, and paid some

practicable operation, and it becomes the friends this country we have been taught a diffe

those constitutions were wise and patriotic.
They loved liberty; it had cost them much.
They had confidence in the people and believed that they were capable of self-government, though they may not have professed as much devotion to them as we have. I acknowledge, sir, that I revere the memory of those great and good men. They were the devoted friends of civil and religious liberty, and I respect the works of their hands. They were willing to confide to the people of this country the election of heir governor, members of congress, and members of the state legislatures, and virtually members of the state legislatures, and virtually sary to secure their re-election.

There is no class in society w was it that they thought it unsafe to risk the ly interested in having an independent, intel

vert great principles which are recognized in vert great principles which are recognized in our constitutions, state and federal, under which we have lived and prospered for half a century, and from a few scattered colonies, have grown to be a great nation of thirty states—the admiration of the world—principles which were sanctioned by a Washington, a Madison, a Franklin, an Adams, and a Jefferson, and, to come nearer home, by a Breekinridge, a Rowan, a Marshall, and other illustrious names, Sir, my friend from Knox (Mr. Woodson,) while he charges others with too much respect for the my friend from Knox (Mr. Woodson,) while he charges others with too much respect for the opinions of those sages and patriots, boldly proclaims that he is for carrying his principles out, and is for electing all the federal officers, judges, posmasters, &c. Sir, when this is done, what will be its effect on the peculiar institutions of this country? They will, most assuredly, be allowed up by what the gentleman was pleasd to call the aristocracy of numbers.

ed to call the aristocracy of numbers.

Have gentlemen reflected on the difference
there is between the election of executive and
legislative officers, and that of judges? It is
the duty of executive officers to see that the laws are executed, and that they operate alike on all. Your congressmen and legislators enact laws, which affect all alike. If they pass oppressive laws, they and their families and relations and friends live under them. If an oppressive law is passed, or an objectionable vote given by a legislator, as it affects the whole community, they become excited, and call their representative to an account. This we have all witnessed Mr. LISLE. Mr. President, I offer the fol.

But, sir, it is not so with a judge; he decides private rights between individuals, in which the lowing resolution:

"Whereas, it is necessary for the protection and security of the citizens of this common-wealth, that the independence of the judiciary shall be strictly preserved, and nothing should be done which would be calculated to weaken to restroy the independence of the table to weaken the state constitutions. The private rights octive are ndividuals, in which the community at large are not particularly intercommunity at large are not particularly interco or destroy the independence of that department state constitutions, thought it unsafe to elect a

of destroy the independence of that department of the government. Therefore, Resolved, That the circuit judges should be ineligible for the term of one year from the expiration of the term for which they may be elected."

Mr. President: Before any action is taken on the resolution which has just been read by the secretary, I desire to submit a few remarks. The subject of the election of the circuit indoes has subject of the election of the circuit judges has not been discussed in the committee of the whole. I regard it as one of the most important which has come under the consideration of the convention of the conve whole. I regard it as one of the most important which has come under the consideration of the convention.

I am satisfied, from the manifestations I have seen in this house, that the fate of my proposition will be somewhat similar to that of my friend from Bourbon; nevertheless, I am willing to risk what little reputation I have on the truth of the proposition.

honor to represent here, that it was unsafe to elect a judge and make him re-eligible immediately after the expiration of the term for which he was elected. I desired their election, but that they should be ineligible. Entertaining these views, which were freely expressed and discussed, I was returned as a delegate to this body. I desire faithfully, as far as I can, to carry these opinions out. It has been uncedof the proposition.

Perhaps it is proper that I should say that strikes at the principle of electing by the peo-ple. Sir, there may be plausible objections urgbefore my constituents I advocated the election of the judges by the people, nay, I may say that I desired the election of all, or nearly all, the officers, and I still desire it. I advocated the election of judges—not because I constitution of judges—not because I constitution of judges—not because I constitution. officers, and I still desire it. I advocated the election of the judges by the people, not because I thought it free from objection, but because I thought it less objectionable than the present mode, or any other mode which I had heard suggested. How it will work, time only will show. I believe, if well guarded, it will do well.

I desire to see them elected by districts. The object to be attained is an intelligent, upright, independent judiciary. When I say an independent judiciary. I mean that the judges shall pendent judiciary. When I say an independent judiciary, I mean that the judges shall be forced and showe all improper influence. It is admitted that the judiciary is necessary to the safety and protection of all classes, and more particularly to the humble in society. It is agreed and settled that the judges shall be elected. Sir, I desire to see the experiment of electing judges class.

man, though a fool, need not err therein. The light which we have from our sister states on this subject, is not so clear to my mind as it has appeared to other gentlemen. Let us examine that it is the part of prudence, in aroment what that light is. Mississippi ranging our organic law, so to form it as to

judge ever attempting to exercise his power for improper purposes. This may or may not be however, Judges are men, and sometimes not the best of by respectable gentlemen, who professed to have men. Sir, it was said by my friend from Bour

My friend from Simpson (Mr. Clarke,) told us suit a state where the doctrine of repudiation meets with popular favor; but, sir, I hope the day may never come, when it will be countemanced in Kentucky. She has given the highest evidence, under the most trying circumstances, that it would not. Sir, during the pressure from Adair (Mr. Gaither,) drew us a dark picture of the judiciary of this and other country.

and passed laws and formed a court, to protect the debtor class from those great sacrifices, Kenour country, but of times past in other gov tacky, be it said to her honor, law-abiding as she ever has been, and as I hope ever will be, rose up as one man, and repudiated this new court and those relief laws, and sustained an among the judiciary, than ever disgraced the level of the standard and those relief laws, and sustained an among the judiciary, than ever disgraced the level of the standard and those relief laws, and sustained and the standard an ourly and those relief laws, and sustained an upright and independent judiciary which had declared those laws unconstitutional.

Georgia, though she has elected her superior judges for some time, has only recently commenced electing her inferior judges. New York and Iowa have been electing their judges since 1846, and Wisconsin since 1848. So, sir, it will be seen that in page of the states in which they be seen that in none of the states in which they elect their judges, except Mississippi, has the reservoir of our liberties, and the asylum to n long enough in existence to test its which we must carry ourselves for safety? In of an elective judiciary to be cautious, and to doctrine, it may be however, of a school which throw such guards around it, as will avoid the certain portions of this community will not reevils which many good and wise men fear will result from it.

Sir, there is another consideration which induces me to proceed with caution and prudence, and to guard in every possible way against any the country, gradually, yet certainly, by thei and to guard in every possible way against any evils which may result from an elective judiciary. It is, that the sages and patriots who formed our federal and most of our state constitutions, were unwilling to elect judges. It has been asserted on this floor, that we are disposed to pay too much defierence to the opinions of our ancestors. But, sir, the men who formed those constitutions were wise and patriotic.

There is no class in society which are so deep election of the judges? There was, I sappose, some reason for withholding from the people the election of judges, while they confided to them the election of other officers. I acknowledge, sir, that I am timid, when we are about to substruct that I am timid, when we are about to substruct the strong man in society can protect himself. Sir,

the goddess of justice is represented as being la few blind, that the parties whose causes were to be decided, might not even be seen; but now, sir, the parties are not only to be seen, but if you good make your circuit judges re-eligible, there will be the strongest temptation held out to them, to oe the strongest temptation held out to them, to court the favor of the powerful and influential in society, at the expense of the more humble. But it is said, that if a judge should thus act he would array all the humble in society against him, and as they are much the most numerous, such a course would be fatal to him. Sir, would it be so? I think not. Men take but little interest in the officirs of other were added. terest in the affairs of other men, and particularly in their law suits. It is not like legislation. to the real state. It is not like legislation by the legislation of greater all to a nit. Step in the case of energed to the property of the legislation effects all. An opproach of the state is a constant of the state of the decisions of a contr. Str. if I was dissorted by the state of the decisions of a contr. Str. if I was dissorted by the state of the decisions of a contr. Str. if I was dissorted by the street of the decisions of a contr. Str. if I was dissorted by the street of the decision of a contr. Str. if I was dissorted by the street of the decision of a contr. Str. if I was dissorted by the street of the decision of the decision of the decision of the decision of the decision. I will mention at an extract of the decision of the street of the decision of the street of the decision of the street of the decision. I will mention at a street of the decision of the contract of the contract of the decision of the contract of the contract of the decision of the contract of the decision of the contract of the contract of the contract of the decision of the contract of Judgments and decrees affect individuals only, but legislation affects all. An oppressive law affects all, and all become parties to it; but not so of the decisions of a court. Sir, if I was disposed, I could refer to hundreds of cases with which history abounds, to show that gentlemen are mistaken in this position. I will mention only one. And it is a strong case sir. There

To show the power and influence of a judge, I will mention another fact, which will be duly appreciated by every gentleman of the profession of which I am an humble member. When a judge refuses to sign a bill of exceptions, you call on by-standers to sign it, and every lawyer judge refuses to do it. Few men are willing voluntarily to incur his displeasure. All desire to be on good terms with the judge who may be difference. It will bring about rotation in office, our rights. Though we may not be involved in vention was called; competition will thus be law yet no man knows when that misfortune excited, and it will, as I verily believe, be a conlaw, yet no man knows when that misfortune

Sir, you propose to make your governor ineliand why? Because they may use their official ore important that a judge should be ineligible, after his election he has more power which he might bring to bear to secure his re-election. than either or both these other officers. If you have an upright, learned, and independent judge. he will act as a restraint on your sheriff, your clerk, and many other officers; but sir, let all these officers combine to secure their re-election as they most likely would do, and the man who comes in contact with them and their official powwould have most woeful odds to contend against. Sir. I desire that every man, who presents himself before the people for public favor shall present himself, so far as practicable, on terms of perfect equality, and that capacity and merit alone shall decide the contest.

We have been told by my friend from Oldham, (Mr. Mitchell.) that now is the time to raise the udicial superstructure. So say I; but let us lay its foundation with wisdom and caution. we should disregard the dogmas of conservatism dependence of the judiciary. Sir, whilst I desire to see the judges elected by the people that day may never come when this glorious com monwealth, the land of my nativity, shall be cursed with an ignorant, weak, time-serving, electioneering judiciary. Sir, I agree with the gentleman from Bracken, (Mr. W. C. Marshall,)

that no greater curse could befall any country It has been objected that the principle of it eligibility in a circuit judge, argues a want capacity in the people to elect their officers. think not. To gentlemen who argue thus, would say be consistent. You propose that your governor shall be ineligible, and that your sheriff shall be made ineligible after the second term; you propose to throw certain restrictions around almost all your officers; you propose around almost all your officers; you propose that no man shall be a judge, unless he has been a licensed lawyer and has practiced his profession a certain time, and that he has attained age and resided in the district or cir cuit for a period of time; you require your clerk to have a certificate of his qualification; and you equire qualification as to age and residence in rour senators and legislators. All these are but restraints on the elective franchise, and gentlemen who profess such high devotion to princi ple, should strike out all these restraints. ircuit judge, a necessary one? That is the great sition of circuit judge under such circ

ere by the people is to throw greater re-around legislators elected directly by the The people themselves have demanded

will agree with me, that it is very difficult to get by standers to sign a bill of exceptions when a will be no circuit in the state in which there called on, we know not how soon, to decide on which was one of the objects for which this conservative and wholesome feature in our consti-tution. But let the fate of the proposition be what it may, I shall have the proud satisfaction of having advocated the position here which I

Sir, at this time I will not ask for a vote of the convention upon my resolution, for it may come up in another shape when we have the It was passed over accordingly.

THE CIRCUIT COURTS.

The convention resumed the consideration of

the articles on the judiciary.

The question first in order was on the eighth section of the article concerning circuit courts, which was read as follows:

"SEC. 8. The term of office of the judges of the circuit court shall be six years from the day of the election. They shall be commissioned by successors be qualified. The removal of a judge from his district shall vacate his office, and when a vacancy may happen from any cause, it shall be filled as hereinafter prescribed."

Mr. HARDIN. There were three propos Perhaps it would be as well for the country, if some of us possessed a little more of it. He and my friend from Adair, animadverted on the independence of the judiciary. Sir, whilst I dependence of the judiciary. Sir, whilst I dependence of the judiciary. sire to see the judges elected by the people that they may be responsible to them for their conhad fixed the term of those judges at eight years, the matter was reconsidered, and the term source of their power, still I hope that the the circuit judges made to conform to that. In the committee of thirty it was again fixed at six years. That committee also provided that the term should commence on the day of election, with a view of uniformity throughout the state. Mr. LISLE moved to amend by inserting the words, "and that they shall be ineligible for the term of one year from the expiration of the term

or which they may be elected."

Mr. KELLY. On that question I call for the Mr. HARDIN. I have no argument to make

on this subject. It was a matter upon which the committee divided equally, and was, therefore, reported as it is found.

Mr. W. C. MARSHALL. I was opposed to making the judges re-eligible, because I considered one of the great means of securing the independence of the judiciary to be ineligibility. I opposed also to the shortness of the term, believing that six years was not a term sufficient to seeure the best men of the country. How and residence in All these are but was had on six years. I believe that either six or eight years is too limited. If the number of years shall be fixed at six, and the number of judges reduced to twelve, as proposed in this report, my word for it, and I call the convengovernment itself is a system of restraint. I report, my word for it, and I call the conven-admit that no restraint should be imposed on tion to witness it this day, it will be the greatany individual, which is not necessary for the welfare and preservation of the whole. But the What man of the proper character, ability and question is, is the restraint of ineligibility on a legal learning in the state would occupy the po-None; it would be accepted only by men whole ly unit for the place, and who could not make to the great body of the community, whether A or B is judge; but they are all interested and deeply interested in having the duties of the station well performed. The great object is not to provide stations for a few individuals, for but

omparatively speaking, can be judges; is to obtain a proper discharge of the off the station. Sir, the people desire a diciary; it is necessary for their protected for the peace and welfare of society, will submit to such restraints as are ty to the attainment of that great object of the objects for which we have been ere by the people is to throw greater rearound legislators elected directly by the The people themselves have demanded The people themselves have demanded our hands. They demand that the power that to a limited extent, and the powering divorces shall be taken from the natives elected directly by their votes. The require that their representatives can be in competition with the boys who had sprung up around them in the struggle for extended and the proper qualifications would never consent to do it. Hold out the inducements to which I have referred and you will have men of talent on the bench; restrict it as the gentle.

rame before the people for re-election, would repress his bad feelings, and hold out a corrective on his bad passions. A good judge would also have every motive to the pure, intelligent, and industrious discharge of his duties, in the knowledge that he would be rewarded for it by the degree that he would be rewarded for it by the degree of the country require it.

We began our circuit court system with ten or eleven districts, and we have been adding to provide the provided that the work relation in affice. people. Gentlemen talk about rotation in office, and those who have talked about it as a democratic principle, will get up and ask us to fix a term of twelve years! That would be rotation in office.

when I came here it was right and I still think so, and I shall vote for the amendment. I ask my friend from Kenton, (Mr. Stevenson,) this question; suppose a judge on the bench, under surrender up the rights of some weak litigant, to secure the influence of some powerful living would his rejection by the people remedy evil and the wrong inflicted on the weaker gant? I do not see how it would. The any way remedy or mitigate the wrong to which en my views on this subject before, and I amsat-isfied that the principle of the amendment is right, and I should, though I have little hope of

Mr. T. J. HOOD. I am disposed to stand by the compromise, reported by the committee, and I have at all times been in favor of the re-eligi bility of judges. Those gentlemen who are op posed to it, seem to look to the single idea the by a long term, sufficient inducements will be eld out to secure men of the first order of ability to occupy the station. Now then, those in favor of re-eligibility, look further and beyond that. We also wish to hold out the inducement when they have attained that station, to dis charge its duties faithfully, by making them sponsible at short periods to the people. Then if satisfied with his discharge of the duties, the people will reward him, by re-electing him, and if he has been incompetent, they will place the seal of public disapprobation upon him. We wish to hold out an inducement that will not onoffice. And I think we may properly and safery trust this power of discrimination between the competent and the incompetent, in the hands of the people, those most interested.

Mr. ROOT moved the previous question, and the main question was ordered to be now put.

Messrs, KELLY and GHOLSON called for the yeas and nays upon the amendment, which being taken resulted as follows—yeas 9, nays 80.

YEAS—Archibald Dixon, Selucius Garfielde Ben. Hardin, Andrew Hood, J. W. Irwin, Wm. Johnson, Tho. W. Lisle, Martin P. Marshall

NAYS-Mr. President, (Guthrie,) Richard Aperson, John L. Ballinger, John S. Barlow, Wil um K. Bowling, Alfred Boyd, William Brad Luther Brawner, Francis M. Bristow, Thos D. Brown, Charles Chambers, William Chenault James S. Chrisman, Beverly L. Clarke, Jesse Coffey, Henry R. D. Coleman, Benjamin Copelin, William Cowper, Edward Curd, Lucius Desha, James Dudley, Chasteen T. Dunavan, Benjamin F. Edwards, Milford Elliott, Green Forrest, Na than Gaither, James H. Garrard, Richard D. Gholson, Thos. J. Gough, Ninian E. Grey, Jas. P. Hamilton, John Hargis, Vincent S. Hay, William Hendrix, Tho. J. Hood, Mark E. Huston, Alfred M. Jackson, Tho. James, George W. Kavanaugh, Charles C. Kelly, James M. Lackey, Peter Lashbrooke, Willis B. Machen, Geo. W. Man shall, Richard L. Mayes, Nathan McClure, John McHenry, David Meriwether, Wm. D. Mitch-Thos. P. Moore, John D. Morris, James M. sbitt, Jonathan Newcum, Henry B. Pollard, William Preston, Johnson Price, Larkin J. Proctor, John T. Robinson, Thomas Rockhold, Ira Root, James Rudd, Ignatius A. Spalding, John W. Stevenson, James W. Stone, Michael L. Sto-Thompson, John J. Thurman, Howard Todd, Philip Triplett, Squire Turner, John Wheeler, Charles A. Wickliffe, Robert N. Wickliffe, Geo.

Mr. A. K. MARSHALL. On Friday last, in "In the conversation that I had with Judge

Marshall, he expressed no preference for three or four, but stated emphatically that three were amply sufficient to transact the business of the court; and he coincided with the opinion of Judge Robertson, that four judges would rather retard than expedite the business, and that it would be no disadvantage, as far as the transac-tion of the business of the country was concerned, that the court should consist of but three

I left the room immediately after concluding my remarks, and consequently did not hear what was said by the gentleman from Madison, (Mr. Turner.) but my attention has been called this morning to the following remarks of that gentle-

"I care not what any judge, or what any lawyer has intimated, since the subject has been talked of here. I do not believe Judge Marshall has given an opinion; he is one of the most cautious, prudent, discreet men, that I am acquainted with. I do think that any gentleman, becupying the station that he does, could or way d give such an opinion."

of making an inquiry— Mt. TURNER. With the permission of the gentleman, I will state, that I did not understand him as asserting that he had had a conversation with Judge Marshall. I supposed that he derived his information from some third person. If I had understood the gentleman as making the assertion, of course, I should not have thought of contradicting it. Mr. A. K. MARSHALL. I am gratified to

hear the explanation of the gentleman, for I was sure that he either misunderstood me, or had not

been correctly reported.

The ninth section was then read, as follows: "Sec. 9. The general assembly, if they deem it necessary, may establish one district every four years, but the judicial districts shall not exceed sixteen, until after the population of this state shall exceed one million five hundred thou-

Mr. GRAY. I move to strike out the whole

Mr. GRAY. I move to strike out the whole section, and insert the following:

"The general assembly shall have power to increase the number of judges and districts, as the exigencies of the country may require: Provided, that no more than one district shall be established at any one session of the legislature."

I do not think we ought to restrict legislation upon this subject, as proposed in the report. I think the legislature should have power to increase the number of judges and judicial districts, when an increase shall be demanded by the people. Providing, as I do, that only one district shall be established at any one session of the legislature, we shall avoid any thing like combination between different sections of country. This, I think, will insure us against the establishment of any judicial district, unless the necessities of the country require it.

Mr. HARDIN. I think the whole provision

of twelve years! That would be rotation in office with a vengeance. My idea of rotation in office is, to let the people have the right to vote a man in or out of office, and to have short terms, so as to give them the choice. It is not re-eligibility, for that deprives the people of the right to rotate in office. It is short terms that gives them that right. I am therefore in favor of the term of six years and of the religibility of the judiciary, and I believe that both will tend to bring about the object we all have in view, an independent, enlightened, and pure administration of justice.

Mr. DIXON. I rise to express my full approbation of the principle contained in the amend-

The previous question was sustained, and un-

The section was then adopted.

The tenth section was then read as follows:

"Sec. 10. The judges of the circuit courts shall, at stated times, receive for their services an adequate compensation, to be fixed by law, which shall not be diminished during the time

for which they shall have been elected."

Mr. HARDIN. The bill as originally framed. fixed the minimum of the salaries to be paid to the judges at \$1,600, the number of judges being reduced from nineteen to twelve. The committee of thirty struck out \$1,600. I want to see the best talent that can be obtained placed upon the bench, and in order to secure that talt, I think the minimum ought not to be less

Mr. C. A. WICKLIFFE. I am inclined to the opinion that in putting together the amendments adoped by the committee of thirty, one was pretermitted. My reconection is, that there was an amendment adopted at the instance of the gentleman from Hickman. (Mr. James.) that the salaries of judges should be equal and uniform throughout the commonwealth. I therefore beg pardon of the committee and of the house for retermitting the amendment, and now offer it

words inserted after the word "law," "which shall be equal and uniform throughout the

Mr. MERIWETHER. I will offer the follow-

"Each circuit judge shall receive from the public treasury an adequate compensation, to be fixed by law, and shall not be diminished during their respective continuance in office, and shall never be less than —— hundred dollars per nnum, and which shall be equal and uniform

throughout the state.' It will be perceived that this is precisely the same as the original section, except that it fixes minimum salary.

Mr. NESBITT. I beg to offer as an amend-

ment to the amendment the following:

"Provided, That whenever a new judge is added, his salary shall be raised by deductions from

the salaries of those already in office."

Mr. HARGIS. There is much in this article that is not agreeable to me, but in the spirit of compromise, I am willing to sacrifice some of my own views, and therefore I hope the section will be allowed to stand as it is.

The amendment to the amendment was re-

Mr. MACHEN. I prefer that the whole subject shall be left to the people, unless we fix a large minimum. It appears to me that \$1,600 is the smallest salary that will give us any reasonable chance of procuring the services of men of the best talent. But I think it will be better to leave the whole matter to the legislature. Mr. W. C. MARSHALL. I propose that \$1,800

be the minimum fixed, as the salary of these Mr. WALLER. I propose \$1,600 as the mini-

Mr. MERIWETHER. I accept the proposi-tion of the gentleman from Woodford, (Mr.

The question then being upon striking ou \$1,600, and inserting \$1,800. Mr. C. A. WICKLIFFE. I shall vote for the

largest amount named. I believe, from my intercourse with the delegates upon this floor, that there will be perhaps no better opportunity to test the views of this convention, as to whether the judges shall be liberally compensated for their services. I am disinclined, however, to fix either minimum or waiteness class in the castility. a minimum or maximum salary in the constituincord.

ject of the salaries of officers; and although a large portion of the community who are in favor of a well regulated judiciary, would be willing to vote a large and competent salary, yet if you were to tell these men that the organic law had fixed it beyond their control, you might produce in their minds a prejudice against this constitution difficult to be removed. I had intended at the difficult to be removed. I had intended at the proper time, to offer, on my own responsibility, the amendment which I proposed in committee; that the next legislature, coming in under the new constitution, fully impressed, as I trust it will be, with the importance of giving this experiment a just and impartial trial, should fix the salaries of the indical officers at a standard ment a just and impartial trial, should he the salaries of the judicial officers at a standard which should not be diminished for eight or ten years; and by that means we should secure etter salaries, and free the constitution from the danger of attack, because of its inhibition on the ubject of salaries.
If the amendment under consideration should

be rejected, I shall offer, in the shape of an addition section, the substance of what I have indi-

Mr. NESBITT. My opinion is, that if we fix a minimum in the constitution, we ought to give the legislature the power to reduce that minimum whenever they increase the number of udges. I have no objection to fixing a mini-num, provided this principle be adopted. The gislature may increase the number and if so, it is not to be expected that they should each receive a salary of \$1,600. in order, I will move to add the following

"Provided, That when the general assembly shall deem it necessary to increase the number of judges, they shall have the power to reduce the salary thereof; but they shall not have power to depart from the principle of equality and

Mr. MERIWETHER. I presume the legisla-ture will never increase the number of judges until there shall be an increase of business to justify it. And whenever there is that increase of business, there should be no reduction of the existing salary, because the old judges would have the same amount business to perform. I make this remark in opposition to the amend ment of the gentleman from Bath, (Mr. Nesbitt, but we are now about to test the plan of an elective judiciary, and I want it to have a fair test; and unless you give salaries that will elicit the best talents in the country, we shall never get good judges. I trust therefore, that those who are in favor of giving this question

Mr. NESBITT. I presume that if the power is given to the legislature to reduce the salaries of the judges, when it shall be found necessary to increase the number, they will never think proper to say they have too much work to do. Suppose the gentleman from Jefferson (Mr. Meriwether,) should be elected judge under the new constitution, and a minimum salary of \$1,600, is fixed, he would find it convenient to say, I can do the business of my district, provided you leave it as it is, and not reduce the salary. But if I should happen to be elected judge, and power be given to the legislature to increase the umber of judges, without the power to reduce their salaries, I might say, I have entirely too much work to do, you must add to the number

of judges.
Mr. MERIWETHER. The gentleman has supposed a case that can never exist. They have rendered me ineligible for the office of judge, but he is not ineligible. The gentleman therefore can best judge of the motives that

would control his own action.

Mr. NESBITT. I assumed some part of the responsibility by taking myself into the illustration. I rather think that if a minimum salary should fixed, the gentleman would soon have

a certificate in his pocket.

Mr. W. C. MARSHALL withdrew his propo sition to fix the minimum at \$1,800.

Mr. BALLINGER. I move to strike out \$1,600, and insert \$1,500.

The amendment was rejected. The question then recurred upon the sub-

stitute.

Mr. NESBITT moved, as an amendment to the substitute, the proviso which he had indicated his intention to offer.

The amendment to the substitute was rejected.

Messrs. GHOLSON and JAMES called for the yeas and nays on the substitute, and being taken,

ey resulted as follows: YEAS—Mr. President, (Guthrie,) William K Bowling, Archibald Dixon, James Dudley, Selucius Garfielde, Ben. Hardin, Andrew Hood, Alfred M. Jackson, Alexander K. Marshall, Martin P. Marshall, William C. Marshall, John McHenry, David Meriwether, William D. Mitchell, John D Morris, Larkin J. Proctor, James Rudd, John W. Stevenson, Albert G. Talbott, Philip Triplett, Squire Turner, John L. Waller, George W. Williams, Wesley J.

Wright-24 Nays—Richard Apperson, John L. Ballinger, John S. Barlow, Alfred Boyd, William Brad-ley, Luther Brawner. Francis M. Bristow, Thom-Brown, Charles Chambers, William Che nault, James S. Chrisman, Beverly L. Clarke Jesse Coffey, Henry R. D. Coleman, Benjamin Copelin, William Cowper, Edward Curd, Lucius Desha, Chasteen T. Dunavan, Benjamin F. Edwards, Milford Elliott, Green Forrest, Nathan Gaither, James H. Garrard, Richard D. Gholson Gaither, James H. Garrard, Richard D. Gholson, Thomas J. Gough, Ninian E. Gray, James P. Hamilton, John Hargis, Vincent S. Hay, William Hendrix, Thomas J. Hood, Mark E. Huston, James W. Irwin, Thomas James, William John-son, George W. Kavanaugh, Charles C. Kelly, James M. Lackey, Peter Lashbrooke, Thomas W. Lisle, Willis B. Machen, George W. Mansfield, Richard L. Mayes, Nathan McClure, Thom as P. Moore, James M. Nesbitt, Jonathan New cum, Henry B. Pollard, William Preston, John Price, John T. Robinson, Thomas Rockhold, John T. Rogers, Ira Root, Ignatius A. Spalding, James W. Stone, Michael L. Stoner, John D. Taylor, William R. Thompson, John Thurman, Howard Todd, John Wheeler, narles A. Wickliffe, Robert N. Wickliffe, Silas Woodson-66.

So the substitute was rejected. The section was then adopted.

The eleventh section was then read as follows: "SEC. 11. The judges of the circuit court shall be removed from office by a resolution of the general assembly, passed by two thirds of each or causes for such removal shall be entered at large on the journal of each

Mr. MITCHELL. I propose the following substitute for that section "The governor shall remove the judges of the

circuit courts on the address of two thirds of each house of the general assembly: Provided housever, that the cause or causes for which such removal may be required, shall be stated at length in such address on the journal of each

This is a provision that has been adopted in regard to the court of appeals; and it occurs to me there is no good reason for departing from the rule in rlation to the judges of the circuit

The question being taken, the substitute was

The section was then adopted.

The twelfth section was then read as follows: "Sec. 12. The governor shall have no power to remit the fees of the clerk, sheriff, or common-

wealth's attorney, in penal or criminal cases."

Mr. HARDIN. I never believed the gover nor had this power, but I have heard a great deal of complaint on the part of sheriffs and others, on account of having their fees remitted. be seen by reference to the constitution, that these fees were intended to be a part of the compensation of these officers, and it is consently out of the power of the governor to

eprive them of such compensation.

Mr. MAYES. I will call the attention of the chairman of the committee to this point. It appears to me that the section is wholly unneces ry. The governor has no power to remit any part of the compensation that is due these

Mr. TURNER. I have drawn up an amendment which I think will meet the views of the gentleman; it is as follows, insert after the words "commonwealth's attorney," the following: 'Or the portion of a fine or forfeiture, given

by law to the latter office."

tory discharge of the duties of the office, can be induced to accept it, after the judicial districts shall be enlarged according to the provisions of the report of the committee, in consideration of the very low salary now paid that officer, provided the d the governor, asheretofore, is investhe power to take from him all the valuable per

usites of the office.

Laws are enacted, high penalties, extending of the forfeiture of life, liberty, and property, are enounced against all who violate their provions—the expensive organization of the neces try tribunals, to bring to the light and punis sary tribunals, to bring to the light and punish the guilty, incurred,—grand juries present, petit juries find the delinquents guilty; the courts pronounce the penalties of the law, without any terrors to the guilty ear, upon which the sentence ought to fall with all the solemnity of the thunders of the judgment day. And why? Simply because of the facilities afforded for the acquisition executive smiles, remissions, and pardons r, I have heard the awful sentence of death ir, I have heard the awful sentence of death ronounced without any striking effect upon the unity culprit, executive sunshine enlivening y anticipation the gloom, the horrors, the awainess of the scene. Hence, I confess that I am not satisfied with the report of the committee, or he amendment, because they do not go far nough in their restrictions of the exercise of the ardoning prerogatives of the executive. But, is the report is the result of compromise, I feel the my duty to support it and such amendments is the committee will allow.

I wish to speak particularly though, Mr. Preselent, in reference to the defects in the present.

der the fect of the lawless desperadoes of the country in consequence of the certain refuge universally extended, almost, by the executive to them. I have known more than one unprinci-pled law-defying villian, to laugh at, and defy the officers of government, in their efforts to en-force the penal statutes of Kentucky, knowing sir, that let their delinquencies be never so great that a merciful executive would avert the chas tising rod in the name of poverty, mercy, of something of the sort. So much does not d pend upon the number or the severity of pen atutes as a rigid enforcement of their penal The certainty, more than th character of the punishment deters from the co mission of crime, and a violation of the mora precepts of our penal code. I do not pretend t speak of the practice in any portion of Kentucky, save that immediately represented by me upon this floor; but I do know sir, that within my knowledge, the exercise of the pardoning power by the governor, and the indiscriminate remission of all fines imposed by the courts and juries of the country, have done more to emboln crime, interupt the peace of society, and trample under foot the morals of the con , than all other causes combined. I would willing to deprive the governor of the power t remit fines altogether, and say that after an en lightened court and jury had found a man guilty of a gross violation of the penal laws, he should suffer that punishment which the wisdom of the law-making power had provided. But as I cannot succeed to the full extent, I do hope that the report of the committee will be sustained. There has been a constant warfare going on between the virtuous law-abiding citizens, determined to sustain the morals and well being of society, or the one side, and the reckless out-breaking lawdefying desperado on the other, ever since law was invented and applied to human action. The of the application of the remedy, which the see

of the application of the remedy, which the section under consideration proposes, to the evils complained of. The guilty alone are destined to reap, in merited punishment by it, the legitimate fruits of their desperate deeds.

Mr. President, no tongue can tell the evils which have resulted to Kentucky, in a thousand ways, from the grog shops, and tipling houses in the country. The young—the middle aged, the old, black, white, rich and poor, have been, and I fear are, destined to be the victims of these sinks of iniquity in Kentucky. As long sir, as tipling houses &c. are permitted to be set up and oney to be made at them in violation of law under the protecting influences of executive faor, so long will your sons, your brothers, your phews, and your neighbors be decoyed wi their influence—so long will the tears of the mother flow—so long will the heart of the wife bleed, over the fallen depraved fortunes of her husband. If you wish to destroy crime, wretchedness, woe and misery, you must begin at the fountain head. And I now say to you, and this convention, that the whole penal code might as well be repealed, and every man allowed drink, gamble, fight, and do all he can to ruin orals of the country, without any restraints at all, as to continue upon your statute books, laws which are rendered wholly and almost universally inoperative by executive elemency. The time has not long passed, when the governor was not only in the habit of remitting the fines and forfeitures imposed upon the guilty vio-lators of the laws, but the clerks, sheriffs, and at torneys fees, allowed by statute. The section now under discussion only deprives him of the power to make the officers of the law labor in their laudable effort to preserve the morals and

well being of society for nothing.

yeas 37, navs 52: Yeas—Mr. President, (Guthrie,) Richard Ap-

person, John L. Ballinger, William K. Bowling, Francis M. Bristow, William Chenault, Archi-

The fifteenth section was read as follows:

ment of the gentleman from Madison.

The yeas and nays being called for, by Messrs.
FORREST and HARDIN, resulted as follows otions, as to be willing to make life and liberty a question of pounds, shillings, and pence. It is proper, that the humblest as well as the most exalted, should have the right of appeal, upon questions involving his liberty or his like.

He.

If gentlemen have talked about bribery and ald Dixon, James Dudley, Selucius Garfielde, Vinian E. Gray, Ben. Hardin, Vincent S. Hay, bald Dixon, James Dudley, Selucius Garfielde, Ninian E. Gray, Ben. Hardin, Vincent S. Hay, Andrew Hood, Alfred M. Jackson, George W. Kavanaugh, James M. Lackey, Thomas W. Lisle, Willis B. Machen, Martin P. Marshall, William C. Marshall, Richard L. Mayes, John H. McHenry, David Meriwether, John D. Morris, Jonathan Newcum, Henry B. Pollard, Johnson Price, Larkin J. Proctor, James Rudd, Albert G. Talbott, John J. Thurman, Philip Triplett, Squire Turner, Andrew S. White, Charles A. Wickliffe, Silas Woodson, Wesley J. Wright —37.

Nays—John S. Barlow, Alfred Boyd, William life, liberty or character. What is a man's NAYS—John S. Barlow, Alfred Boyd, William Bradley, Luther Brawner, Thomas D. Brown, Charles Chambers, Jas. S. Chrismau, Beverly L. Clarke, Jesse Coffey, Henry R. D. Coleman, When this and other interests dear to him, are

the same of the scene. Hence, I confess that I am not satisfied with the report of the committee, or the amendment, because they do not go far enough in their restrictions of the exercise of the pardoning perogatives of the executive. But, as the report is the result of compromise, I feel it my duty to support it and such amendments as the committee will allow.

I wish to speak particularly though, Mr. President, in reference to the defects in the present to under consideration, and the amendment of the degrate from Madison. Little regard has been paid to the penal statutes in Kentucky, by those whose interests and courts proposed to inflicting the appropriate and legal penalties; but they have been trampled under the feet of the lawless desperadoes of the certain refuge my or and where the particularly consequence of the certain refuge my or and the amendment of the legislature to say one thing certain, Not because grand juries were distincted under the feet of the lawless desperadoes of the certain refuge my or and the mendment of the legislature to say, one thing certain, Not because grand juries were distincting the appropriate and legal penalties; but they have been trampled under the feet of the lawless desperadoes of the certain refuge my or and the mendment was rejected.

Charles Confev. Henry R. D. Coleman, the this and other interests den to then this and other interests den and other interests den to then this and other interests den to him, and at others follows then this and other interests den to him, and at others follows. Here to him, and at take, I for one, would admit of no petty consideration of pounds, shillings and pence, to sideration of pounds, shillings at take, I for one, would make, I stake, I for one, would admit L. Waller, John Wheeler, Robert N. Wickliffe, George W. Williams—52.

So the amendment was rejected.

The question was then taken upon the adoption of the twelfth section, by yeas and nays, on the call of Messrs. MITCHELL and BRÓWN, and were—yeas 50, nays 38:

And were—yeas 50, nays 38:

YEAS—Mr. President, (Guthrie). Richard Apperson, John L. Ballinger, William K. Bowling, Francis M. Bristow, Edward Curd, Lucius Destruction of a judgment in every case, would be a Elliott, Sclucius Garfielde, Thomas J. Googh, Vincent S. Hay, William Hendrix, Mark E. Huston, Alfred M. Jackson, William Johnson, George W. Kayanangh, James M. Lackey, Thos.

then read and adopted as follows:

"Sec. 13. If a vacaney shall occur in the office of judge of the circuit court, the governor shall issue a writ of election to fill such vacaney, for the residue of the term, and another judge shall be elected by that district, to serve until the expiration of the time for which the judge was elected whose death, or other cause, produced such vacaney: Provided, That if the unexpired term be less than one year, the governor shall appoint a judge to fill such vacaney."

trial. This was the object of allowing him the right to challenge twenty jurors peremptorily, and thus to secure himself against the influence of popular prejudice. The commonwealth have clients to oppose this section. We should, however, and I hope we shall, upon this occasion, therefore there is no such reason why it should have the right of peremptory challenge. It is a principle in the laws of Kentucky, except to a limited extent. I believe in the correctness of imperfections of our unhappy and fallen condition; and perhaps as a class, they may feel it to be a duty they owe to their present and future of popular prejudice, and though we shall, upon this occasion, therefore there is no such reason why it should have the right of peremptory challenge. It is a principle in the laws of Kentucky, except to a limited extent. I believe in the correctness of imperfections of our unhappy and fallen condition; and perhaps as a class, they may feel it to be a duty they owe to their present and future of popular prejudice, and those of eaction. We should, however, and I hope we shall, upon this occasion, therefore there is no such reason why it should have the right of peremptorily, and thus to secure himself against the influence of popular prejudice, and thus to secure himself against the influence of popular prejudice, and those occasion, therefore there is no such reason why it should have the right of eaction. We should, how ever, and I hope we shall, upon this occasion, therefore there is no such reason why it shou the mode and manner in which changes of venue guilty. I am satisfied with the constitution as in such cases may be had." guilty. I am satisfied with the constitution as it is, and I hope the section, together with the

The fifteenth section was read as follows:

"SEC. 15. In all trials for treason or felony, the commonwealth shall be entitled to peremptory challenges of jurors equal to one-fourth the number allowed the accused."

Mr. HARDIN. As the law now stands, in cases of felony, the accused has the privilege of challenging without showing cause, but the commonwealth has no such right, unless they show good cause. It is known to gentlemen less cause can be shown for such an objection. amendment, will be rejected. show good cause. It is known to gentlemen less cause can be shown for such an objection. who have prosecuted criminal cases, that men The gentleman from Henderson, (Mr. Dixon,) are placed upon the jury, sometimes upon their says that the state has advantages enough now mere allegation that they have formed no opinion in the case, and who go there predetermined to acquit the accused. This was the reason that operated with the committee, and caused the insertion of this section.

I Expansed, with the predictions lest or, that one possible the feet of the state o

incurred, than that one who may have been little chance, that the man who has no ready at all times and upon all occasions to commit crime, shall not, by a packed and corrupt jury, be did clared innocent, when his guilt is manifest to all. Sir we all know the power of money; its power has been wielded in such a way as often, very often, to set at open defiance the criminal law of the country, and set at liberty the veriest murders and scoundrels that ever disgraced the shape of man; yes, it has entered the very tent to hould ever be kept pure. It has bribed jurymen and witnesses, and has rendered the terminal alaw of your state little better than a dead letter. What is more common at this day, than when it is said that nurder has been commit erime without the fax of punishment. The ded is in no danger, he has too much wealth, his family connexion is too extensive and powerful, and that the law was not made for him?

What, sir, does all this mean? It only means thatif you give a man money, united with strong family friends and influence, he may at his will laugh to scorn your courts of justice, trample that law with impunity under his feet, and commit erime without the fear of punishment. The poor, the weak, the humble, and the penniless, regard the criminal law as but a poor shield indeed to them, against the wrongs and outrages which the strong and mighty impose upon them. The people have, in a great measure, isst confidence in the security offered by the criminal law. Let a poor and friendless man be indicted for crime, and he is convicted or executed, or sent to the penitentiary to explate his crime; and to effect this, the evidence of his guilt need not be very strong. The unfortunate man has no money with which to bribe misserable wretches to come in and take their seats on the jury bench, predetermined to acquit him. This provision allowing a challenge to the state, as far very stone in and take their seats on the jury bench, predetermined to acquit him. This provision allowing a challenge to the state, a Ninam E. Gray, Ben. Hardin, John Hargis,
Wincett S. Hay, William Hendrix, Mark E. Huston, Affred M. Jackson, William Johnson,
George W. Akananaugh, James M. Lackey, Thos.
W. Lisle, Willis B. Machen, George W. Mansheld, Marten P. Marshall, Richard L. Mayes,
John H. Melferty, John D. Morris, James M.
John H. Melferty, John D. Morris, James M.
Nesbitt, Jonathan Neweum, Henry B. Pollard,
Johnson Pirec, Larkin J. Protent, John T. Robinson, Thomas Rockhold, Albert G. Talbott,
John J. Merkey, M. William S. Has Woodson, Wesley J. Wright—30.

M. W. Silke, William Chenaut, James M.
Nesbott, Jonathan Neweum, Henry B. Pollard,
John J. William S. Has Woodson, William B. Machen George W. Williams, S. Has Woodson, W. Selvey J. Wright—30.

M. W. Silker, George W. Williams, Silker G. Talbott,
John J. Thomas Rockhold, Albert G. Talbott,
John J. Thomas J. Thomas

of the time has not only in the habit of remitting the fines and forfeitures imposed upon the guilty violators of the laws, but the clerks, sheriffs, and attorneys fees, allowed by statute. The section now under discussion only deprives him of the power to make the officers of the law labor in power to make the officers of the law labor in the first thing, no doubt, that strikes the Mr. MAYES. I am not commonwealth's at-

So the section was adopted.

So the section was adopted.

The thirteenth and fourteenth sections were the read and adopted as follows:

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The thirteenth and fourteenth sections were the read and adopted as follows:

The thirteenth and fourteenth sections of a price to the court, upon questions of law. Give to the day so abundantly enjoy. Still, Mr. President, they are but men, subject to all the frailties and they are but men, subject to all the frailties and they are but men, subject to all the frailties and they are but men, subject to all the frailties and they are but men, subject to all they are but men, appoint a judge to fill such vacancy."

"Sec. 14. The general assembly shall not change the venue in any criminal or penal prosecution, but they shall provide, by general laws, the mode and manner in which changes of venue is any criminal or penal prosecution, but they shall provide, by general laws, the mode and manner in which changes of venue is any control of the country, but at the same of common sense give to the man who are charged with crime, or who may be arraigned for trial? I too can sympathise with the wretch who has wantonly outraged the law of its convention, and I trust that a majority of this convention country, but at the same of common sense give to the man who are charged with crime, or who may be arraigned for trial? I too can sympathise with the wretch who has wantonly outraged the law of its convention, and I trust that a majority of this convention cannot be found to vote for this privilege or the section. my sympathy and my sorrow, I desire that he shall be punished as certainly as he has committed crime. I have much sympathy for those upon whom he has brought ruin, distress, misery, and wretchedness, by his high handed violation of law. The man of crime has no symathy. In cold blood he can take the life of his fellow, without mercy or removes. In my independent, he we shall be ready to do it in the other. The without mercy, or remorse. In my judgment he is not entitled to a great deal of compassion, and should, when arraigned, be allowed no advantage over the state. He should have a fair trial. So should the state have an equally fair chance. If, sir, we would banish from our land crime and immorality, the laws made for the punishment of such as may be guilty of it must be enforced, and all the facilities and aids necessary to its enforcement must be afforded. Without this, it is entered to the punishment of such as may be guilty of it must be enforced, and all the facilities and aids necessary to its enforcement must be afforded. Without this, it is state incur an expense of \$500,000, than believe the form an expense of \$500,000, than believe the form an expense of \$500,000, than believe the form and sometime from the least complaint from the least complaint that the additional expense is so great that this privilege should be withheld from the citizen.

"In a I trials for treason and felony, as well as in all par secutions for penal offences, the accused shall have the right to prosecute an appeal, or writ of error, to the court of appeals, to any judgment which the circuit court may render against him, and the general assembly shall provide, by law, in what manner such appeal, or writ of error, may be prosecuted: Provided, hourder, that such appeal, or writ of error, shall extend only to questions of law which may arise upon and be decided during the progress of the chance of warding off the influence that the prejudices and excitement of the community may bring to bear against him. I am for striking out the section altogether.

Mr. HARDIN. There is a great deal of very fine declamation in what the gentleman has said, but he does not meet the question fairly. The proposition is this: the accused may challenge for cause, if he can show any cause which is known to the law as good ground for challenge, and in addition to that, he can challenge twenty without showing any cause. That

which is known to the law as good ground for challenge and be decided during the progress of the trial in the circuit court.

Mr. GHOLSO.N. I do not agree, for one, to either of these substitutes. For God's sake, if we intend to pun, sh any man in Kentucky, let us continue the right to challenge to the commonwealth, and for this the substitute does not provide. My experience teaches me that your very rich, moneyed man, can purchase jurors enough where this right of challenge is not granted to the commonwealth to keep their necks out of the halter. It is to prevent men being bought and sold in the market and placed where they can be put in the jury box, that this right of challenge is proposed. It has become a remark in my section of the coantry that you cannot hang or punish a moneyed man. Indeed I have heard men go so far as to say that they would not hesitate to shoot any men who would offend them, if they had five or ten thousand dollars to expend to get themselves clear. Instead of striking it out entirely, I sh ould prefer to extend the right of the commonwealth to challenge.

Mr. DIXON. I am decidedly against the seemer and only the man of Carter, who murdered another.

stated before, the accused has but a poor chance against the commonwealth, with the advantages it has on its side. He is compelled to rebut as far as possible the popular prejudices which the very fact that he is charged with crime excites against him before he can have a fair trial. The commonwealth should stand as the protector of the accused and stand between him and the popular prejudice, rather than in the attitude of seeking to urge him to the sacrifice without an opportunity to defend himself. The gentleman tells us that he is a prosecuting attorney, and that because he has discovered that errors have crept into our criminal system, he desires this amendment. And he tells us that gentlemen of the bar are deeply interested in protecting the

the accused. That is all. Now a man may kill ought to be remedied. Of course there is no man who defends the accused, but who believes if he is found not guilty the verdict is right. The one is a fair set off for the other. The rich and the powerful can protect themselves; but who shall shield the poor and the impotent from the storm of popular prejudice when it is exeited against him. Would the gentleman break down the great barriers to this prejudice which the law has thrown around the weak and the defenceless. And yet to get at the rich and powerful way must strike down all the poor and gainst the accused. That is all. Now a man may kill my father, son, or relation, and have I not the right to see that justice is done upon him; and when the luw in such a case, should allow me only four challenges, does it take away a single right that the accused has? No; it is only to give the government the right to get clear of the men who come to the court house prepared to go on the jury.

The gentleman from Henderson has said that a man who has been a long time a common wealth's attorney, is apt to run off too much against the accused. I suppose upon the same erfal, you must strike down all the poor and powerless. That is the argument, and I do not assent to it. The most powerful talents are brought to assist the rich and powerful, while

in the case of a miserable negro, who was charged with breaking open a house, with the intention fear of contradiction, that already in the case of to commit a felony. There were two counts in crimes which cry to heaven for justice, there are the indictment,—one charging him with intention to commit a rape, and the other with intention to commit a theft. Under one of these counts, of course he could not be punished other with the characteristic between the grind part of the scape of the guilty. Who do they employ to defend them? Why some four or five gentlemen just as eloquent as my friend on the right, (Mr. Dixon.) And who has the commonwealth? Why some little lawcomes up from all parts of Kentucky, that the guilty are allowed to escape from the punishment due their crimes. Has it not been complained of also, that men have been sacrificed to the popular fury and excitement of the moment. Have we not recently heard of two negroes who were charged with killing their master, and who without trial, upon the mere charge, were burned at the stake? It was against these popular excitements this right of challenge was designed to protect the accused, and to secure him a fair to protect the accused, and to secure him a fair trial. Let justice then be administered without prejudice, and in the spirit of mercy, and not of prejudice, and in the spirit of mercy, and not of revenge. If a victim has to be offered up to justice in her high place, let mercy and pity be al
is a strong prejudice against the accused, but is there a lawyer who allows his case to come on older delegates, whether the commonwealth offer trial at such a time? No; you do not—you get a continuance, and you get one again and peals, where cases have been decided against the accused, but is there a lawyer who allows his case to come on older delegates, whether the commonwealth ought not to have some means of sending up appeals, where cases have been decided against the accused, but is there a lawyer who allows his case to come on older delegates, whether the commonwealth on the spirit of mercy, and not of get a continuance, and you get one again and again, until at last the people begin to say, universal and equal code throughout the commonwealth, improperly. We should have a universal and equal code throughout the commonwealth, improperly. We should have a universal and equal code throughout the commonwealth, improperly. We should have a universal and equal code throughout the commonwealth.

Frankfort, Ky., Nov. 22, 1849.

"Provided, that the general assembly shall provide, by law, that any criminal who may be convicted in the circuit court, may, under proper court of appeals, provided, one of the judges of the mulintude. Give the accused a fair opportunity of being heard, and then if he is convicted, the latter court shall order a supersedeas to issate to restrain the execution of the sentence until the case can be heard and determined by the court of appeals."

Mr. TAYLOR asked and obtained leave to with Iraw his amendment, and to offer the followin, I substitute for the whole section in lieu.

I owed to drop a tear on the sacrifice. Do not give all these things to the wild and mad fury, gotten up to reflect the feelings and passions of the mulintude. Give the accused a fair opportunity of being heard, and then if he is convicted, let him suffer the penalty of his crime. But I would not give being heard, and then if he is convicted, let him a suffer the penalty of his crime. But I would not give to the commonwealth any more property that I should remain in jail. For a while, every time that he was brought to have the right to send up the case to the court of appeals. Ought he not to have the parties will take it up. But when the judge doubts upon a point of criminal law, he has the who shot another, but who, however, did not die. He did not give bail, and I did not want to do so, prefering that he should remain in jail. For a while, every time that he was brought to have the right to send up the case to the court of appeals. Ought he not to have the parties will take it up. But I have not gone so far. I have of the mulintude. Give the accused a fair opportunity of being heard, and then if he is convicted, let him a suffer the penalty of his crime. But I who shot another, but who, however, did not give being heard, and I did not want to so, prefering that he should remain in jail. For a while, every time that he was brought to have the right to send up the case to be a suffer law of the countrol of appeals. Ought he ought to the lowing substitute for the whole section in lieu thereon:
"In a 'l trials for treason and felony, as well as accused of the chance of warding off the influ-

Mr. DIXON. I am decidedly against the section, and greatly prefer the substitute of the gentleman from Mason, (Mr. Taylor.) That is, that there shall be an appeal taken only in cases where there is a dispute upon a question of law merely, and nothing else. I do not know that I am in favor of the right to a peal at all, but I greatly prefer it to the section as it stands. I think that the arguments adduced by the gentleman from Graves, (Mr. Mayes.) are very far from proving the proposition he assumes. As I stated before, the accused has but a poor chance against the commonwealth, with the advantages

amendment. And he tells us that gentlemen of the bar are deeply interested in protecting the accused. Are not commonwealth attorneys deeply concerned in convicting the accused.

Mr. MAYES. The gentleman is mistaken if he supposes I learned the facts I stated only during an experience as commonwealth attorney. Mr. DIXON. I have no doubt but that gentleman has learned it by experience, but the question is whether he has been rightly taught or not. The school in which he was taught was that of prosecuting the accused, and what prosecuting attorney does not come forward with a determination that the culprit should be convicted whether he is guilty or not; and then if the victed whether he is guilty or not; and then if the jury happen to differ with him, what is his opinion? Why that there is a great defect in the criminal jurisprudence of the state, and that it

the poor devil who comes into court with suspicion upon him, if he has no money in his pocket, will find it difficult to array this talent in his defence. And when the suspicions of the moment have excited the popular prejudices against him, under these circumstances, would you take from him the little protection the law has extended to him in the right to challenge those who are prejudiced against him, or give to the commonwealth the right to challenge the few who might be disposed to do him justice? This is the whole sum and substance of the proposition. I am not for that, for I well know how difficult it is sometimes for men to get even a show of justice.

I was once engaged in the county of Hopkins in the case of a miscrable negro, who was charged

er than by stripes, because the crime would not has the commonwealth? Why some little lawconstitute a felony; but the intent to commit a rape was a felony, for which the punishment and who has got the office by way of charity was death. The suspicion however went forth, that he intended to commit a rape on the lady of the house, though her husband was in bed with cuted some one thousand cases of felony and her at the time, and the excitement ran so high other offences. From 1808 to 1815 I was a pub her at the time, and the excitement ran so high against the accused, that when a jury came to be called up the pannel was exhausted as well as the crowd outside; for the reply to the usual question put to jurors on such occasions, was almost invariably that they had made up their minds, and that was that the negro ought to be hung. It was an honest and a generous feeling which impelled the people—it was a desire for the safety of the commonwealth; but in this son, a boy some eight years old, in the most barwhich impelled the people—it was a desire for the safety of the commonwealth; but in this case it was mislead, misdirected, by passion. We labored for a long while in securing a jury; and such was the influence of this feeling upon them that they could not agree; and another jury had to be called, when the same difficulties of empannelling one were encountered. At last one was formed, and they came to the conclusion that the man was not guilty, and acquitted him. was formed, and they came to the conclusion that the man was not guilty, and acquitted him. What chance had he under that state of facts with the commonwealth? Had he any power to pack a jury? None. Nothing but the justice of his cause and the shield of the law had he, to save him from the sacrifice demanded by the passion-led and excited multitude. I am not theresion-led and excited multitude. I am not therefore for wresting from the accused the only chance which the law gives him of securing a fair and impartial trial. And I tell gentlemen that if bribery and corruption is to be brought to bear, that if they do give the commonwealth the right to challenge four or five of the jurors, it will not deprive the rich and powerful of the means to exercise it. But you take from the poor man the exercise it. But you take from the poor man the protection which the law throws around him with a view of securing him a fair and impartial trial. I would not extend the power the commonwealth now has, when it can array whatever talents it may desire to proscepte any new who talents it may desire to prosecute any man who may be accused and bring him to conviction, even when not guilty. It has been said here that the cry comes up from all parts of Kentucky, that the guilty are allowed to escape from the conviction of the conviction of

nuance. After laying in jail for two win-rs, and becoming frost bitten, he was brought ters, and becoming frost bitten, he was brought out in the spring, and as we passed along, I could hear the people saying, "poor Sy. he has suffered enough God knows—and he fought the British too," and similar expressions of commisseration. Said I, "Sy. now is the time, I shall clear you now;" and the suit being brought on, he was cleared in five minutes after the jury retired.

That is one point. The other is this. If the counsel for the accused, or the accused think the judge is prejudiced against him, and he refuses to take an appeal, then the accused has the right to apply to the judge of the court of appeals. And if that judge is willing to take the responsibility, and sees good cause for issuing a super-

the made one of law. Once a delay of a few on this is obtained, a hundred hopes are excited the escape of the prisoner. He may escape on jail, important witnesses may die off, or be ided to leave the state. In a word, you would of Mr. TRIPLETT for the amendment of Mr. TAYLOR, and it was agreed to—yeas 54, nays die addition, you greatly increase the expense. double the chances of the prisoner for escape, and in addition, you greatly increase the expenses of the courts. Now, there is one way in which an appeal may be taken, to which I see no real objection myself, aithough I am not prepared to go for it. It is the plan proposed in the amendment of my friend from Daviess, (Mr. Triplett.) that provides that whenever the circuit judge entertains doubts on any point of law, in a criminal case, he may refer the case to the court of appeals for their opinion. This too Ben. Hardin. Vincent S. Hay. Andrew Hood.

gentleman from Nelson, on this matter of making a constitution. I do not wish to burden it, and I expected we should strike out a part of the report of the committee, because I believe it tion, so that the vote should first be taken on

ng that some of her proud sons are not worthy o sit in a jury box, and not assign a reason for t. I ask where you can place a more damning to Brown, William Chenault, James S. Christian Chenault, James Chenault, Jam that it is the duty of the commonwealth to look upon all her citizens as true and loyal, till the reverse is proved. But, without proof, there is an attempt to authorize the commonwealth, through her ministerial agents, to say, "you are unworthy of the rights of freemen." I think the commonwealth has nothing to fear, as long as the elder gentleman from Nelson will be able to come to the resence. How has it been hereton that the common to the resence. How has it been hereton to come to the resence. How has it been hereton that the commonwealth to look upon the first time of the resence. How has it been hereton the resence of the to come to the rescale. How has it been heretofore, when his mind, blessed with intuition, has —42. been brought to bear, and he has had the privilege of coming to the rescue? The guilt of the accused is as clear as the beams of the sun, and nothing but his own power can resist the destructive power of the commonwealth. Again, when he sees he has carried the jest a little too far for the commonwealth, and destruction is about to fall on the man, he interferes, and says, my power has carried you a little astray, and he sayes the victim.

—42.

Nays—Richard Apperson, John L. Ballinger, Alfred Boyd, William Bradley, Francis M. Bristow, Charles Chambers, Henry R. D. Coleman, William Cowper, Garrett Davis, James Dudley, Benjamin F. Edwards, Nathan Gaither, Selucius Garfielde, Richard D. Gholson, Ninian E. Gray, Ben. Hardin, John Hargis, Vincent S. Hay, Andrew Hood, Thomas J. Hood, James M. Lackey, Thomas W. Lisle, Geo. W. Mansfield, Alexander K. Marshall, William C. Marshall, Richard I.

Twelve men have pronounced him guilty, on their oaths. His reputation goes abroad, with guilt attached to it, and when he comes up for trial, there is a propriety in giving him the right to challenge peremptorily. Many will come into court with their minds made up, and I ask if he may not exclude these, that justice may be done? I think this is an improper power, to be placed in the constitution.

Mr. TRIPLETT I have an appendment the convention refused to strike out the section. The yens and nays were called for by Messrs. MITCHELL and BROWN, and resulted as follows—yeas 41, nays 47.

YEAS—Richard Apperson. John L. Ballinger, Charles Chambers, William Cowper, Garrett Davis, James Dudley, Benjamin F. Edwards, Nathan Gaither. Selucius Garfielde, Richard D. aintance, the impression that he is guilty. So the convention refused to strike out the

lay the execution of the sentence in such case, with the court of appeals have decided such doubtful points of law; or the accused may apply to a judge of the court of appeals for a writ of error, [in any criminal or penal prosecution,] which may be granted by him, and shall act as a supersedeas to the judgment of the court in which the trial was had, until the opinion of which the trial was had, until the opinion of the court in which the trial was had, until the opinion of the court in the court of the court in the court of the co

has not attracted the attention of this house. It is a fact that we have not at this day in Kentucky, a settled crimmal code, though we have the best civil code in the world. One judge in White, Charles A. Wickliffe—47. midnight, to enumerate differences between the move to offer his amendment as an additional two courts, in which I practice. This ought not section. to be. The lives and liberties of the people of Kentucky, are too valuable to be sacrificed by judges going too far on the one hand, or not far

judges going too far on the one hand, of enough on the other. I would call to my aid, both of the gentlemen from Nelson, and they judges.

The convention then adjourned. The commonwealth has the right to the bene fit of their experience. I would like to hear, not only their experience, but the experience of the

consideration.
That is one point. The other is this. If the There is a prejudice against the accused at first; but lawyers of skill and ingenuity will not let a trial come on until that prejudice shall subside, and the public sympathies become excited in his favor. There will be no right therefore, of which the standard of the public sympathics become accided in the public sympathics become excited in his favor. There will be no right therefore, of which there is a prejudice against the common-wall public sympathics become excited in his favor. There will be no right therefore, of which the public sympathics are supposed to have the right, I am not prepared to say I shall oppose it, for I do know, that I have heard points of law urged against the common-wall without any sould research to have the benefit of it. I go favor. There will be no right therefore, of which the accused will be deprived, by giving to the commonwealth this privilege to challenge. I know the government has the advantage in what is called the last speech to the jury. But on the other hand, the accused hasthe benefit of four or five first rate speeches, and by the time you come to the last speech, the jury are in pretty much the same condition we are here sometimes, so tired out, as to feel no desire to listen to the last speech.

As to this proposition to allow an appeal in criminal cases, I am opposed to it. It is said that appeals are only to be taken on questions of law; but cannot an ingenious lawyer make a law point on almost any question that arises? Hardly a question can be suggested, that may monthe sie obtained, a hundred hopes are excited.

Are the propose of tax in the down urged against the common wealth, without any good reason, for the purpose of saving the criminal. From that day it is put down in that lawyer's mind, and other lawyers appeal to it, till in some cases, more particularly in cases of burglary, it is impossible to convict a man at all. I do not go so far as I do go, I do most sincerely hope the delegates will support me. It is necessary to have a settled criminal code, throughout the state. No danger can arise, for the judge will not send up a case, unless there is a doubt. It has been tried in England, four hundred years, and I have heard of no complaint from lawyers, the bench, or the citizens. Let us at least have as much merey as they have there.

Mr. RUDD moved the previous question, and the main question was ordered.

law, in a criminal case, he may refer the case to the court of appeals for their opinion. This too is the plan in England; and it is the only form of an appeal which I could in any way consent to see introduced here. I do not know that I ever saw an innocent man convicted in my life, but I have seen many guilty men acquitted. We come here to make laws for the protection of the commonwealth, of the whole people, and not solely for the accused.

I appeal to gentlemen not to overload this constitution to any greater extent than they have. If they do, I warn them that it will break down before the people by its own weight. The people demand that there shall no longer exist so many facilities for the escape of the guilty from the punishment due their crimes, and I ask gentlemen not to add to these complaints by increasing these facilities. Give to

plaints by increasing these facilities. Give to the commonwealth the right of challenge, and you give the people a protection against those who come to the court house for the sole purpose of being hired to go on juries. Give it to them also, if you desire to make friends for your constitution and solve it is adopting the solve it is a solve it is a solve it in the solve it is a solve it in the solve it is a solve it is a solve it is a solve it is a solve it in the solve it is a so constitution and secure its adoption.

Mr. TURNER moved the previous question, but Mr. MACHEN claimed the floor, and the main question was not ordered.

Mr. MACHEN. I feel much like the elder consideration of the constant of the constant

will be oppressive to it when it comes before the country.

What do you propose to do? To give to the nays, and being taken, they were—yeas 42, nays

stain on a man's character, than to deny him the man, Beverly L. Clarke, Jesse Coffey, Benjamin privilege of sitting as a juror in trying the Copelin, Edward Curd, Archibald Dixon, Chas-

rights, liberties, or life of his fellow citizen? It shis to which I am opposed. I never will, by ny vote, sanction any such proceeding. I hold hat it is the duty of the commonwealth to look hat it is the duty of the commonwealth to look.

saves the victim.

I hold that the commonwealth has now power enough in her hands, and there is a vast difference between the right of the accused to challenge of the country of the process of the country of the coun lenge, and its being extended peremptorily to the commonwealth. When the man is once arraigned, and on his indictment a true bill is found, declaring him guilty, it is enough to speed, throughout the whole circle of his acspeed, throughout the whole circle of his acspeed.

done? I think this is an improper power, to be placed in the constitution.

Mr. TRIPLETT. I have an amendment which I wish to offer as a substitute for the amendment of the gentleman from Mason:

"Whenever the circuit court judge, before whom a criminal or penal prosecution is had, shall entertain doubts on any point of law which shall be decided by him during such trial, he shall have the power of adjourning over such doubtful points of law, to be decided by the court of appeals; and in the meantime, may delay the execution of the sentence in such case, until the court of appeals have decided such

the court of appeals, on the questions involved, shall be entered in the circuit court, which shall ward Curd, Archibald Dixon, Chasteen T. Dunabe governed thereby."

I will state the object I have in yiew, and the Garrard, Thomas J. Gough, James P. Hamilton, I will state the object I have in yiew, and the reasons for that object. After the most mature examination, I am satisfied that the great body of the argument of the gentleman from Nelson is correct. I have been in the criminal practice for some twenty years, and I am satisfied that there is not one case in twenty, that would not be taken up. But there is another thing which the attention of this horse. It

one circuit is governed by one criminal code and another by another. I could go on from now till

So the section was rejected.

Mr. TRIPLETT gave notice that he should

Mr. PRICE gave notice that on Wednesday next, he should move a reconsideration of the fourth section of the report of the committee on the court of appeals-fixing the number of

Hot Bread! Hot Bread!!

FRANKFORT.

WEDNESDAY ::: NOVEMBER 28, 1849. JOHN W. FINNELL, Editor.

In numbering our daily paper, an error occurred—the numbers 45 and 47 were omitted. The dates will be found correct.

THANKSGIVING DAY.—To-morrow has been set apart by the Governor of this Commonwealth, and recommended to the people, as a day of thanksgiving and prayer.

We understand there will be religious service n the different churches in the city at 11 o'clock.

4-00-0-ITTo-morrow being Thanksgiving Day, we take it for granted no business will be done in the convention; in which event no paper will be issued from this office until Friday morning.

For two months our printers have labored dilgently, almost day and night, and we are sure all will agree that they are entitled to a day of leisure, and a good thanksgiving dinner.

Le Leave of absence for a few days, was grant ed by the convention on yesterday, to MARTIN P. Marshall, Esq., a delegate from the county of Fleming. We regret to state that for some days past Mr. Marshall has been quite indisposed, so such so indeed, as to render his attendance at the house painful, and indeed not without danger. We trust that a few days of respite and recreation will restore Mr. M. to his accustomed health.

RELIGIOUS NOTICES.

A Sermon, suitable to the occasion, will be elivered in the Baptist Church, in this place, on Thursday, 29th instant, (Thanksgiving day) by he Pastor. The public are respectfully invited o attend.

There will be preaching in the Presbyterian thurch to-morrow, (Thanksgiving day,) at 11 'clock.

THANKSGIVING .- There will be public worship the Methodist Church, on Thursday, at 11

TO THE SENATORS OF KENTUCKY. BENJAMIN SELBY respectfully announces him-self a candidate for re-election to the office of Door Keeper to the Senate; and refers newly elected members the old Senators, and the following resolution, pass-

ed unanimously at the last session: " RESOLVED. That the thanks of the Senate are due. and are hereby tendered, to Jons D. McClure, Sergeantat-Arms, and BENJAMIN SELEY, Door Keeper of the Senate, for their prompt and vigilant attention to the members, as well as a faithful discharge of the duties of heir respective offices."-Senate Journal, '48-9. November 26, 1849 .- dtd*

W. Smith Brown,

MANUFACTURER AND WHOLESALE DEALER IN BOOTS AND SHOES,

No. 26, Courtland Street, New York. No. 26, Courthard Street, New York.

The subscriber, (successor of the oldest Shoe House in New York,) invites the attention of Merchants from Kentacky visiting New York, to his Stock of BOOTS AND SHOES, which they will find unsurpassed for styles and qualities. Those in want of good, uniform articles, will find it to their advantage to give the subscriber a call. His Stock for the Spring will be ready for sale about the first of February.

New York, November 28, 1849.—3md

CHOULDER BRACES.-Just received, a lot of Nov. 26, 1749. SPANGENBERG & PROETT. CHLVER CRAVAT BUCKLES,-Just received and for sale, a lot of Silver Cravat Buckles, by Nov. 26, 1849. SPANGENBERG & PRUETT.

TOHN F. LLOYD has just opened a large I to of spiendid NEW MUSIC, selected in person out of the Stocks of all the emment publishing houses.

WISH TO PURCHASE A PLOUGH BOY, and a publishing houses. usicians and Amateurs, are invited to

P. HARKINS.

FASHIONABLE TAILOR, PASHIONABLE TAILOR,

DESPECTFULLY informs his friends and the public
in general, that he is carrying on the TAILOR.

ING BUSINESS on Main street, in the shop formerly occupied by Wim. Mathews. Win. Bridges, and more
recently by G. W. Cook, one door above Bacon's Store,
and is prepared to execute orders in the neatest and
most fashionable style.

Converte will be made to order, in stylet conformity. Garments will be made to order, in strict conformity

with the present prevailing fashions and taste of the day. Frankfort, October 23, 1849.-19tf

THE LATEST ARRIVAL! R. KNOTT,

HAS THIS DAY commenced receiving his Second Fall Importation of DRY GOODS, from the Eastern Cities, Frankfort, Nov. 23, 1849.

A SPLENDID assortment of high colored French Merinoes and Cashmeres, received this day, om the Eastern Cities, by November 23, 1849.

A VERY large lot of Black Sifk Lace, Velvet Ribbons, and Jenny Lind Braids, for trim-ming dresses, this day received and for sale by November 23, 1849.

A FINE assortment of White Crape Shawls, and Embroidered French Cloaks, received from Philadelphia this day, and for sale by November 23, 1849.

LARGE assortment of Ribbons, this day received, and for sale by R. KNOTT.

November 23, 1849. BBLS, good EATING and COOKING AP-16 PLES, just received and for sale for Cash, by November 23, 1849. SAM. HARRIS.

10 BBLS. this year's DRIED PEACHES, just re-November 23, 1849. SAM. HARRIS. 20 BUSHELS this year's DRIED APPLES, in

November 23, 1849. SAM. HARRIS. 50 KEGS pure WHITE LEAD, just received and for sale for cash, by SAM. HARRIS.

November 23, 1849. (ONE MORE!)

NEW GROCERY STORE, UNDER THE MANAGEMENT OF H. L. GOODWIN,

In the Room formerly occupied by W. H. Greenup & Co., Market Street, Frankfort, Ky. HO has just received a good assortment of DRY GOODS and FAMILY GROCERIES, con-

YY GOGDES and sisting of all articles usually kept in that has sisting of all articles usually kept in that has sisting of all articles usually kept in that has sisting of all articles and sisting of the sistence of Flour.

20 BBLS, best Family Flour, (warranted,) for sale November 22, 1849. H. L. GOODWIN

Salt. 20 BBLS. Lake Salt, for sale by November 22, 1849. H. L. GOODWIN.

Buckwheat Flour.

IN Sacks, and for sale by November 22, 1849. H. L. GOODWIN.

50,000 Shingles Wanted.

WANTED, 50,000 good Poplar Shingles. November 22, 1849. H. L. GOODWIN.

Toys! Toys!! Toys!!!

Lexington and Frankfort Railroad.

TIME REDUCED. THE greater portion of this road having been re-laid. with the T Rail and the balance put in complete pair, the Cars have resumed their regular trips, Leaving FRANKFORT at St A. M. and 2 P. M., Leaving LEXINGTON at 6t A. M. and half past 2 P. M.

Time of Passenger Train through 24 hours. Frankfort, October 27, 1849.—d1mo

DENTAL SURGERY, MARCH

BY E. G. HAMBLETON, M. D. Is operations on the Teeth will be directed by a scientific knowledge, both of Surgery and Medicine; this being the only safe guide to uniform success. From this he is enabled to operate with far less pain to the patient, void of danger. All work warranted, the workmanship will show for itself. Calls will be thankfully received.

IF Office, in front Room of his residence on St. Frankfort, Nov. 14, 1849-823-by.

Frankfort Clothing Emporium. GOODS! GOODS!! GOODS!!!

SECOND IMPORTATION ! SPANGENBERG & PRUETT, MERCHANT TAILORS,



Call and see our Goods.—Small profits for Cash, is our motto.

We also keep on hand and make to order, all kinds of CLOTHING, which we warrant to be well made.

N. We wish to take an Apprentice to learn the Tai-oring business. None need apply but those that can some well recommended. Nov. 17, 1849—884tf

Newest and Cheapest CASH CLOTHING STORE,



On Main street, one door labove Dr. Lleyd's Drug Store. Drug Store.

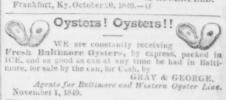
I take great pleasure in announcing to the citizens of Frankfort and its vicinity, that I have regularly established myself here, for the purpose of carrying on a READY MADE CLOTHING STORE. My stock as it is now, consists in a well selected associment of Fail and Winter Clothing.

Over Coats, Dress, Frock, Sack and Bag Coats; Pants and Vests of all sizes and descriptions; Linen Shirts; stayenders, Gloves; an assortment of Trunks and Carpet Bags, &cc.

pet Bags, &c.,
I do not like to blast, therefore, I say simply to all
those who wish to get any thing in my line, to give me
a call, examine my goods, and judge for yourselves.
Gentlemen: if you wish to get a good article, good fit,
well made, for a reasonable price, you can't do any
better than to walk into my store, and I shall endeavor
to satisfy you in every respect.

L. ROSENFELD.

Frankfort, Ky. October 10, 1849.—tf





T. P. PIERSON, T. P. PIERSON,

I AVING been appointed agent for one of the best Bal

I timore Oyster Lines, is prepared to furnish as good
an article as can be obtained in market, in any quantity.
He solicits a share of the public patronage.
He has also fitted up his ice Cream Saloon as an Oyster Room, in as nest style as any in Frankfort, and is
prepared to serve up these delicious bivalves in all forms,
on the shortest notice.

Frankfort, Oct. 16, 1849—dtf.

STOUGHTON'S RESTAURAT.

Corner of Main and Ann-Streets, nearly opposite the Weisiger House, Is now open for the Season. None but the best Li-quors are to be found at this establishment. Fresh Baltimore Oysters,

Are kept constantly on hand, and served up in the best style, at any hour of the day of night. They come to hand carefully packed in Ice, and are very superior.

Mr. S. is prepared to give Dining or Supper Parties to gentlemen whenever desired.

Frankfort, Oct. 3, 1849.

Iron. 4 TONS, assorted sizes, in store and for sale by [Nov. 20] R. C. STEELE. Wails.

20 KEGS, Shoenberger's Juniata, in store, and for [Nov. 20] R. C. STEELE. Groceries.

GENERAL assortment of the best family groce-ries, just received, in store, and for sale by [Nov. 20] R. C. STEELE. 10 BBLS. Valley Mills, in store, and for sale by R. C. STEELE.

Boots and Shoes. CASES men's boots and brogans, in store, and sale by [Nov. 20] R. C. STEELE

Salt. 50 EBLS Lake Salt, in store, and for sale by R. C. STEELE.

Nov. 20, 1849. Picks and Mattocks.

DOZ. G. S. Clay Picks; 1 doz. Grub Hoes; 1 doz. G. S. Mattocks; received per Blue Wing, and for sale. (ov. \$0. TODD & CRIFTENDEN. STONE SLEDGES.

18 HEAVY Stone Sledges; received per Blue Wing, and for sale by TODD & CRITTENDEN.

WINDOW GLASS. 6 BOXES 8 by 10 Window Glass; 6 boxes 10 by 12 Window Glass; received per Blue Wing, and for sale by TODD & CRITTENDEN. November 20.

Heidsick Champaigne!!

15 BASKETS genuine Heidsick Champaigne, received this day from the importer, and for sale by Nov. 20.

GRAY & GEORGE.

Brown Stout! 2 CASKS "Rob. Byass" London Brown Stout just received and for sale by GRAY & GEORGE, Nov. 20.

WANTED. 9.000 FAT HOGS, for which Cash will be paid.

November 7, 1849. Powder.

50 KEGS Dupont's Blasting Powder, received per Blue Wing, and for sale by Nov. 17, 1-49. TODD & CRITTENDEN.

Crow Bars. 12 STEEL CROW BARS, received per steamer Blue Wing, and for sale by Nov. 17, 1849. TODD & CRITTENDEN.

Toys! Toys!! Toys:

I HE subscriber has received, and is now opening, one place. The citizens and the public generally. Ladies in particular, are respectfully invited to call and examine his stock, as he takes pleasure in showing all articles in his line of business. He thinks his Toys and prices cannot fail to please.

November 22, 1849.

Nov. 17, 1849.

TODD & CRITTENDEN.

IN addition to the subscriber's large stock of fine Cigars, you will find Cuba Sixes, Casadores, and Brazilian Cigars, all very fine, at PIERSON'S CONFECTIONERY.

November 22, 1849.



FRANKLIN SPRINGS, FRANKLIN COUN-TY, KENTUCKY.

TY, KENTUCKY.

FACULTY.

OL. F. W. CAPERS, A. M., President and Superintendent, Professor of Civil and Military Engineering, Philosophy and Astronomy.

HON. THOMAS B. MONROE, Professor of Organic, Constitutional and International Law.

J. D. DeBOW, A. M., Professor of Political Economy. Commerce and Commercial Law.

MAJOR T. LINDSLEY, A. M., Professor of Ancient Languages, Logic, Rhetoric and Ancient History.

CAPT. R. G. BARNWELL, A. M., Professor of Modern Languages and Belles Lettres.

CAPT. R. G. BARN WELL, A. M., Professor of Modern Languages and Belies Lettres. CAPT. W. J. MAGILL, Professor of Mathematics. CAPT. SAML. P. BASCOM, Post Adjutant. J. T. DICKINSON, M. D., Surgeon. Locariox.—The site of the Institute, Franklin Springs, six miles from Frankfort, is in all respects desirable, apart from all unwholesome influences, whether moral or physical.

Apmission.—Applicants for admission, on presenting Applicants for admission, on presenting a certificate of good moral character, and paying the charge of the Institute, will be assigned to classes as their advancement may justify; and, upon satisfactorily passing the next examination thereafter, will be entitled to a warrant of appointment of Cadet, from the Governor

ADVANTAGES.—The course of studies at the Institute is unusually comprehensive in its character. Whilst the Military Education is completed and the Cadet fitted for the command of a Regiment or Brigade in the field, should his country require such services, he is at the same time made an accomplished Scholar in letters and science, understanding the constitutions of his country, and the duties of its citizens and officers; and a Civil Engineer, capable of entering upon the construction of those important public works which are in progress or contemplation in every part of the United States.

LAW DEPARTMENT,

HON. THOS. B. MONROE, Professor. HON. THOS. B. MONROE, Professor.

This Department is organized, for the present, with the view of including only those branches of Law which belong rightfully to the regular Acade nic course of every college, and which are in fact necessary to enable the student to understand his own government, with the powers and duties of its citizens and officers, and to make himself the statesman, military lawyer, and accomplished American gentleman; and not with a view to his practice of the Law as a profession.

The class will be constituted of all the Students of the College whilst engaged in their studies of History and Moral Philosophy, but its exercises will be so conducted as not to interrupt the studies of its members in any of their other classes.

their other classes. TERMS,

Payable half yearly, in advance.

Institute charge for Board, Tuition, Lights and Washing, per Collegiate year. \$160.00 Do. do. do. (Preparatory Department,) 130.00 French and Spanish Languages, exira, each. 10.00 For more particular information, address the under signed, at "Kentucky Military Institute, Franklin Springs, Franklin county, Ky." F. W. CAPERS October 10, 1849,-8ds

Female Eclectic Institute, NEAR FRANKFORT, KY.

THIS well known school will open its 36th regular session on Monday, July 31st, by which day, it is requested, that all pupils will be present. In consequence of the graduating of a very large class, more new pupils than usual can be admitted; and, although applications are quite numerous, and some new pupils have already arrived, a few places may yet be had.

TERRIES. For boarding and instruction in all the plain and ornamental branches of the course, including the Latin and French Languages—and, to such as desire it, the Greek and Geman—drawing in pencil and crayon, and painting in water and oil colors, and in the monochromatic style, with the use of a large collection of superior models, and of drawing materials of the best quality and of every description; the use of a library of more tann 1,000 volumes: of maps, globes, charts, diagrams and anatomical plates, and of a most superb suit of apparatus, as well as a fine bathing establishment; less use in sacred music, &c., &c., one hundred

ment; lessons in sacred music, &c., &c., one hundred dollars, per session of five months, in advance. For instruction in vocal and instrumental music, including the use of Pianos and of a Melodeon—thirty dollars per session.

All necessary English text books, and stationery of every description, will be furnished at the very low price

of ten dollars per session.

The academic year consists of FORTY FOUR weeks, and vacation is held in the two months least favorable to study, and when a family is supplied at least ex-Forty young ladies will be admitted. To these,

the personal and particular attention of the principals and of their families, will be devoted.

P. S. FALL, A. M.
JAS. S. FALL, A. M.
Poplar Hill, June 19 1849-871-61sm

HYDRAULIC CEMENT.

Hydraulic Cement, received per 10 BBLS. Louisville Hydraulic Cement, received policy Blue Wing, and for sale by Oct. 19, 1849. TODD & CRITTENDEN.

Paste Blacking, Writing Ink, &c.

WE continue, as we have done for ten years past, to manufacture Paste Blacking, Writing Ink, and Nerve and Bone Liniment.

The quality of these articles we warrant equal to any in the country, and the low price at which we now sel paste Bracking and Writing Ink, offers inducements for

Paste Biacking and Writing Ink, offers inducements for Western Dealers to buy of us, instead of bringing out an Eastern article at a higher cost in the addition of freight, insurance, and exchange.

We have every necessary appliance of machinery to make these articles to the best advantage, and are prepared to fill all orders with dispatch.

We have for several years past made large sales an mually, to most of the Western and Southern cities from Pittsburgh and St. Louis, te New Orleans and Mobile.

We invite the special attention of Western Dealers to these facts.

Main street, between Fifth and Sixth.

Cincinnati, Aug. 1, 1849.—d

S. WEILER & CO., No. 3, BROWN'S BUILDING.

St. Clair Street, Frankfort, Kv. HAVE just received a very handsome assortment of Linea Shirts, Merino Drawers, and under Shirts, and Fancy Handkerchiefs, to which we

ever brought to this Market! The Clothes were mad by experienced and skillful workmen, under the direct

Besides the large stock of GENTLEMEN'S CLOTH-ING, we have Boots, Shoes, Caps, Hats, Umbrellas, Traveling Trunks, Carpet Bags, &c.,

If These goods are offered very LOW FOR CASH-nd only for Cash! By adhering to the

re enabled to sell at very small profits.

It is no trouble to us to show our goods, so that gen

It is no trounce to us to show our goods, so that gen themen wanting any thing in our line, will oblige us by giving us a call, and if we fail to trade, no harm is done. We pledge ourselves to sell at reasonable prices—and the article sold shall be precisely such as we represent it. We are regularly established here, and it is our nt. We are regularly established here, and it is o pleasure as well as our interest, to satisfy our custoners.

Frankfort, Ky. October 29, 1849.

CITY ORDINANCES. BE it ordained by the Board of Councilmen of the city of Frankfort, that it shall not be tawful, hereafter.

ging any bell.
it further ordained, that if any person be found
ling, he or she shall forfeit and pay a fine of \$2'
offence; recoverable upon conviction thereof,
fines are.
It further ordained, if a slave shall offend against

Nov. 20, 1849—d 1w.

Barber Shop, Bath House, &c.

Henry Samuel, On East Side St. Clair St., opposite the Mansion House, AVING recently refitted his establishment in a style superior to any in the city. and as he has fit ted up good Gas Lights, he is prepared at all times to attend to all that may give him a call. He continues to keep for sale Perfumery, Brushes, Gloves, Cravats, Handkerchiefs, Suspenders, &c., &c.

HIS NEW BATH HOUSE, which was fitted up last summer, in style inferior to none in the city, is open from Monday to Sunday morn-ing, where all can obtain any kind of Bath at the short-est notice. He has, also, the best kind of washer-wo-men, and any one wanting clothes

WASHED OR SCOURED, can have it done in superior order and without delay. By careful attention to business, he hopes to merit a continuance of the patronage heretofore so liberally be-

Oct. 4, 1849-870-tf OLDHAM & TODD'S COTTON.—The best ar-ticle, in store and for sale by SAM. HARRIS.

WANTED! WANTED !! THE undersigned are desirous of purchasing S
Hundred Bushels of RYE, and Three Tho
sand Bushels of BARLEY. They are willing
give the highest CASH price. Frankfort, October 4, 1849.—d

JOYCE & WALSTON.

MERRILL'S BAKERY,

WHOLESALE CANDY FACTORY, N. E. Corner Front and Walnut Streets, Cincinnati PILOT BISCUIT; Water Crackers; Graham Crackers; Goda Crackers; Sugar Crackers
Always on hand at the lowest prices. Sugar Crackers, &c., EFCountry Merchants are invited to call.
ROBERT MERRILL, JR. Cincinnati, October 4-d.

CHARLES MULLER,

IMPORTER OF Fancy Goods, Toys, Cutlery, Looking Glass Plates, Etc. A ND Manufacturer of Looking Glasses, Walnut street, three doors below Pearl, Cincinnati; and 30 Platt street, New York. Oct. 4, 1849.—d

P. HOLLAND,

Commission Merchant, and Tobacco Factor, No. 18, West Front St., Cincinnati, O. BEING Agent for all the principal Manufacturers in Virginia, Missouri and Kentucky, I am prepared to sell TOBACCOS lower than any other establishment West of the Mountains. Always on hand, from

1,000 to 5,000 Packages, e following styles.

MISSOURI. 12 Lump. 16 do. 6 Twist. Cincinnati, October 4, 1849 .-- d

STEAM SPICE MILLS.

HARRISON & EATON, Coffee and Spice Dealers, Walnut Street, op-posite Pearl Street House, Cincinnati, O. CONSTANTLY on hand, fresh ground and warranted

Dure—PEPPER, GINGER, MUSTARD, ALLSPICE, Genuine African Caycons ages suited to the RATALL TRADE, and neatly labeled Ground COFFEE, ALSO Roasted COFFEE, Roasted PEA-NUTS.

Ground RICE, African Cayenne Pepper Sauce in Bottles.
Ground COFFEE packed in papers to order, for
Nharl Boats or Grocers, and warranted pure.
If Photels and Steam Boats supplied at short notice,

IT Photels and Steam Boars and on reasonable terms.

CASH paid for MUSTARD SEED.

Thompson; T. C. Butler & Co.; Harrison & Hooper;
Hosea & Fraser; Minor, Andrews & Co.

Hotels:—Galt House, W. E. Marsh; U. S. Hotel, A.

Wetherbee; Pearl Street House, Col. J. Noble.

Cincinnati, Oct. 4, 1849.—d

BOOKS AND STATIONERY.

THE undersigned would respectfully call the attention of the public to his valuable stock of BOOKS AND STATIONERY, consisting of Law. Medical, Theological, Miscellaneous and School Books; Blank Records and Account Books of every description on hund or made to order at a short notice; Binder's Leather and Cloth; Printer's Ivory and Enameled Surface Cards; a large stock of Record, Foolscap, Letter, Note, Envelope, Blotting and Drawing Papers; Envolopes; Steel and Gold Pens; Quills; Ink; Water Colors; Perforated Boards; Globes, Celestial and Terrestrial; Orrerys; Telluvian's Mathematical Instruments; Surveyor's Compasses and Chains: Chess Men; Backgammon Boards, &c. A large stock of Engravings.

For sale, Wholesale ane Retail, by

GEORGE COX.

71, Main Street, Cincinnati, Ohio.

71, Main Street, Cincinnati, Ohio. October 4, 1849.--d

Important Information. SHIRES.

128 Sycamore, and 36 Fourth St., Cincinnati, COTINUES to Manufacture all kinds of TIN, COP-PER, SHEET IRON and JAPANED WARE

lendid and large variety of House Furnishing A splendid and large variety of House Farnishin Goods, consisting of Fancy Hardware, Hollow War Grooms, Dusters, Window and Willow Ware, &c. &c. ways on hand and for sale on reasonable terms. In addition to the above, the proprietor is prepared indertake the Agency, and attend to the Sale of New Invented, Ornamental or Useful Articles of almost eve

escription.

N. B.—The location is one of the very best in the city nd the exhibition and Sale Room one of the largest and

C. A. WITHERS & CO.

K EEP constantly on hand a large assortment of Missouri, Kentucky and Virginia TOBACCO, Il descriptions, together with every article usual d in a Tobacco Establishment. Having accepted gency for a large number of Virginia Manufacturers ars will be furnished at the lowest Eastern price All orders for articles not in our line, will be promp filled. Cincinuati, Ohio, Oct. 2, 1849.

Fine Brandies, Wines, &c.

HALF pipe "Hennessy" Pale Brandy,—pure and old; 2 half Pipes "Otard" Pale Brandy—very fine and old;

Palf Pipes "Otard" Pale Brandy—very fine and old;
1 half pipe Otard Cognac Brandy;
2 cask old Jamaica Rum;
2 cask superior old Holland Gin;
3 cask "Harris & Sons" pure old Oporto Port Wine;
3 cask "Barris & Sons" pure old Sherry;
3 cask "Harmony" Pale Sherry;
3 cask "Gordon" Madeira;
4 cask Gordon" Madeira;
5 cask five Tenerifle Wine;

asks "Robert Byas's" London Bro. Stout, bls, Old Peach Brandy, very superior; bls, Old Bourbon, (very superior.)

GRAY & GEORGE.

Fine Cordials, &c.!

case Curacao; 2 cases French Cordials, assorted; Suisse" Extrait D'Abcinthe 1 case Punch Essence; cases Muscat defrontignau;

1 cases Catawba Wine; 4 cases Catawba Wine; 5 cases "St. Julien Medoc" Claret. GRAY & GEORGE.

For sale by October 12, 1849. PAPER WAREHOUSE.

Wareham Warehams of Paper, Warehams of Paper, and have several lots amounting to 1,060 Reams of rive within 30 days, comprising the largest and on-fromplete assortment of paper in the West. A large art of this stock has been manufactured expressly to our der, and is exactly adapted to the wants of Printers, lanufacturers, and other consumers in this region. Our arrangements with Eastern Manufacturers have een perfected the present summer, and give us advanges equal, if not superior, to any other Westhrn Dealers.

s. We warrant the Papers sold by us to be the very best On a strict comparison of quality, weight and colors ur prices will be found LOWER than any others. We with such comparisons by all who might our prices will be found LOWER than any others. We invite such comparisons by all who wish to purchase in this market.

BUTLER & BROTHER,
Wholesale Paper Dealers,
Main street, between Fifth and Sixth.
Cincinnati, August 1, 1849.—d

CITY STOVE STORE, No. 5, Fifth St., near Main St., Cincinnati, O.

FRENCH, STRONG & FINE. ESPECTFULLY invite sttention to their large as STOVES, GRATES, &c.

Comprising the "Eureka," "Model Air Tight,"
Premium Cooking Stoves; Fancy Air Tight Parlor
and other Heating Stoves in great variety, at LOW
PRICES FOR CASH Call and examine.

TO WATCHMAKERS AND DEALERS IN JEWELRY, CUTLERY & VARIETY GOODS.

HAVING moved into our new store. No. 130, Main street, under the Commercial Bank, we are now opening our FALLE Gold and Silver Watches;
Fine and Common Jewelry, Spectacles, Spectacle Glasses, Accordeons, Pistols. Razors, Knives and Scissors;
Fine French and Yankee Brass Clocks;
Violins and Violin Strings;
A general assortment of Watchmaker's Tools and Materials, &c., &c., of our own direct importation and

ials, &c., &c., of our own direct importation and ase from the original manufacturers, and all which we will sell at as low prices as any house in the countr DUHME & CO. Cincinnati, Oct. 2, 1849-5t. 83 (cha Gzette,)

Fine Cigars.

PLANTATION, Cubá Principe, Payizo, Star Principe Habanna, Colorado, Regalia, Grenadero's Regalia El Leon De Cro, Pressed Regalia, and Holbrook's PIERSON'S CONFECTIONERY. October 6, 1849.—887

Cranberries. 2 BBLS. very fine, just received and for sale by Oct. 12, 1849. GRAY & GEORGE.

UNIVERSITY OF LOUISIANA LAW DEPARTMENT.

THE Lectures and Course of Instruction in this Department will commence on the first Monday of secember next, and continue until the first Monday of pril. They are intended to embrace the most important branches of the Common and Civil Law, Public, atternational and Constitutional Law, Lectures will delivered upon the various branches and subjects, by our professors.

our professors.

Those by Professor Henry A. Bullard will embrace.

1. The history of the Roman Law, from the earliest

It times.

II. An Analysis of the General Principles of the Roman Civil Law, according to the most approved method of the German School.

III. The Jurisprudence of Louisiana compared with the Roman Law and the Codes of France and Spain.

IV. An Outline of the Land Titles in Louisiana, whether derived from France, Spain, or the United States.

se by Professor Theodore H. McCaleb, will reat of:

1. Admiralty and Maritime Law, embracing the Rights and Obligations of Masters and Mariners, Collisions, and other Maritime Torts, General Average, Salvage, Civil and Military, Mariners' Contracts, Marine Insurance and Hypothecations, and Contracts for Maratime Services in Building, Repairing and Symphying Ships.

tracts for Maratime Services in Building, Repairing and Supplying Ships.

International Law, embracing the Law of Prize, and the Practice of Prize Courts, the Absolute Rights of States in their pacific and hostile relations, Treaties of Peace, and Private International Law.

S. J. J. keeps all kind of CABINET FURNITURE, at as LOW PRICES, and WARANTED as well made as at any Cabinet Ware Room in the Western Country.

Cincinnati, June 12, 1849—870-tt. al Law.
II. The Jurisdiction of the Courts of the United States,

embracing the Original and Appellate Jurisdiction of the Supreme and Circuit Courts, and the Origi-nal Jurisdiction of the District Courts as Courts of Revenue, and as Prize and Instance Courts of Admiralty For Revenue, and as Prize and Instance Courts of Admiralty.

The Lectures by Professor Randell Hunt will treat

of:

1. Commercial Law as it relates to Mercantile Persons, Mercantile Property and Contracts, and Mercantile Remedies. These Lectures will treat of Sole Traders, Partnerships, and Corporations; of Principal and Agent; of Bills of Exchange and Promissory Notes and Shipping; of Bailments and Contracts with Carriers, Contracts of Affreightment by Charter Party, and for Conveyance in a General Ship; of Freight, Jettison, and Average Salvage and Insurance; of Sale, Guaranties, Liens, and Stoppage in Transitu.

11. The Criminal Law and Practice in Courts of Criminal Law and Criminal Law and Practice i

11. The Criminal Law and Practice in Courts of Criminal Jurisdiction.

111. The Law of Evidence
Professor Thomas B. Monroe will deliver Lectures and instruct the school upon these branches of Law:

1. The Common Law of England as it was in England, and as it is now found in the United States in the Federal and State Governments.

11. Constitutional and statutary organic law, especially of the government of the United States, and of the several States.

12. COUNSELLORS AND ATTORNIES AT LAW, WILL attend to any husiness. of the several States.

II. Equity Jurisprudence, as it was and has remained in England and as now recognized and practiced in the Courts of the United States, and a portion

of the State Courts.

IV. The system of Pleadings and Practice in Cases in Equity.

V. The systems of common actions and pleadings, with
the practice therein, and generally in the Courts
of Common Law—in contradistinction to those
of Equity and Admaralty.

The exercises will be two lessons every day—except

ne hollidays established by law—each occupying in all etween one and two hours, and consisting of a lecture, ecitation, or an examination, or two or all of them com-The Moot Court will be open all the time, and will be eld regularly every day by one or other of the profestors, for the instruction of the students in practice in yery description of cause, and in the courts of every risdiction, from the Justice of the Peace to the Supreme ourt of the State and of the United States.

In order that the school shall be composed of courts. ourt of the State and of the United States.

In order that the school shall be composed of gentlenen only, every student must be personally known to ne of the professors, or introduced satisfactorily, and eforce his admission into the school he must matriculate for the school he must matriculate for the school he must matriculate. the payment of the sum of five dollars to the Dean of Faculty or Secretary of the University, and thereup incribe himself, after which he will pay or otherwise tisfy each professor the sum fixed for his reward. The fee of each professor is fixed at twenty-five dol-

The degree of Bachelor of Laws will be conferred on The degree of Bachelor of Laws will be conterred on the students who shall have attended two full courses of the lectures and exercises of the school or one full course, after having read full twelve months under the direction and with the assistance of a respectable counselor at law, and who shall on the examination of the several expectable to the formula to the several expectable. ors be found by them all worthy of the honor. H. A. BULLARD, Dean.

New Orleans, October, 1849,



BOARD OF VISITORS; the Adjutant General, to-gether with five fit persons, to be annually appointed by the Executive, to aftend examinations at least once in the year, according to law. FACULTY; incorporated with all the powers, privile-ges and rights exercised by the Trustees and Faculty of any other College.

of any other College.

Collonell T. F. Jolinson, General Superintendent, [Educated at West Point]

W. MORGAN, joint Superintengent and Front of Civil and Military Engineering. [Educated at The Third Session of five months will commence on the First Monday in October, 1849, with interpretation of the Interp Vest Point.]
ut. Col. B R. JOHNSON, Professor of Mathematics

[Educated in the City of Paris] apt. C. E. MOTT, Principal of the Academy. [Educated in New York] ted in New York.]
Capt W. W. GAUNT, Adjutant of the Institute.

This place is unsurpassed for its healthy atmosphere, nus place is unsurpassed for its healthy atmosphere, are water, and romantic scenery; and is unquestionally one of the most eligible locations for a Literary astitution in the United States. The grounds have ten greatly improved and ornamented during the last eyears. A plat of forty acres, beautifully situated on a margin of the Licking River, immediately in the ar of the buildings, will be reserved for Military Excises.

the large addition that has been made to the buildings.
The removal will be made immediately after Christ mas, and the School opened at that place
On the 7th day of January, 1850.

The Academic year extends from the first Monday of September to the third Friday of June—forty weeks.
Two hundred and seventy five Cadets, from eighteen different States, have entered this institution since it was organized in 1847. It is entirely free from the control or domination of any sect or party, either political or On the 7th day of January, 1850.

The Academic year extends from the first Monday of September to the third Friday of June—forty weeks.

Two hundred and seventy five Cadets, from eighteen different States, have entered this institution since it was organized in 1847. It is entirely free from the control or domination of any sect or party, either political or religious. Economy in dress, by the adoption of a chear Uniform, for Winter and Summer, is rigidly enforced. Every Student is required to select a College Guardian, with whom all funds brought or received, must be deposited, and no debt must be contracted without the consent of such Guardian.

with whom all funds brought or received, must be deposited, and no debt must be contracted without the consent of such Guardian.

CIVIL ENGINEERING will be thoroughly and practically taught in the WESTERN MILITARY IN STITUTE, the Professor. Col. MORGAN, being one of the most skillful and experienced Engineers in the United States. He was for a long time the Principal Assistant Engineer of Pennsylvania, after receiving the highest honors of the United States Military Academy at West Point. All the instruments connected with that department, have been procured at considerable cost, and of the best quality.

The Superintendent takes the liberty of stating that he is now offered \$7.5 per month for competent Assistant

The Superintendent takes the liberty of stating that he now offered \$75 per month for competent Assistant gineers. One of his former pupils receives at this ne \$2.500 per annum as Principal Engineer of a Rail-ad under construction in Kentucky, whilst others of a same class are receiving, in different parts of the ited States. \$2.000, \$1,500, or \$1,200 a year as Assistant of the states. \$2.000, \$1,500, or \$1,200 a year as Assistant of the states. \$2.000, \$1,500, or \$1,200 a year as Assistant of the states.

United States, \$2,000, \$2,000, \$1,000, pense, at the Western Military Institute.

TERMS.—The entire charge for Tuition, Boarding, Lodging. Washing, Fuel, Lights, Blacking, Servants' attendance, Music, use of Arms, &c. &c., will be \$160 per year. Payments will be required in advance, at that tate, from the day of entrance to the end of the term. From the first Monday of January—for example—to the third Friday of June, (twenty-four weeks.) It is \$96. Georgetown, Ky., October 31, 1849.—26

Frankfort, February 9, 1849.—856-ddcwtf



WOODRUFF & McBRIDE

WHOLESALE AND RETAIL IMPORTERS AND DEALERS IN HARDWARE AND CUTLERY.

MANUFATURERS of Planes, and all kinds of Farmers' and Mechanics' tools, all of which they will sell as iow as any house in the west. Country merchants will please give us a call at No. 53, Third street, near Main, next to the Courier office, Louisville, Ky. Louisville, October 2, 1849.

S. J. JOHN'S.

FASHIONABLE Cabinet, Chair and Sofa Ware Rooms, Third St., North side, between Main and Sycamore, CINCINNATI.

GOOD SHAVING, At the Gas-Light Barber Shop, in the Mansion House, Corner of Main and St. Clair Streets.

Johnson Buckner, DETURNS his grateful thanks to the citizens of Frankfort, and the public generally, for the very liberal patronage he has received since he commenced business in this place. He hopes by strict personal attention to his business, to merit a continuance of the January 5, 1849.

RAWDON, WRIGHT, HATCH & EDSON, Bank Note Engravers & Printers,

CORNER OF 4TH AND MAIN STS., CINCINNATI, O. A LSO, Bonds, Bills of Exchange, Checks, Certificate of Deposite, Promissory Notes, Seals, Cards, &c The services of Mr. T. D. Booth, late of New York have been secured exclusively for the department of the New York have been secured exclusively for the department of the New York have been secured exclusively for the department of the New York New York

Will attend to any business confided to them in the Courts of Fayette and Scott. They will also continue to practice in Bourbon and Harrison, and Court of Appeals, as heretofore,

Collections attended to in any of the counties adjoin-

ing Fayette.

I W. M. O. Smith, has removed to Lexington, and taken an Office over the Lexington Insurance Office, and next door to M. C. Johnson, Esq.

Sept. 4, 1849-882-tf

PHENIX PLANEING ESTABLISHMENT. J. BEAVERSON respectfully announces to his friends, and the public generally, that he has re-built his Steam Planeing and Carpenter Establishment, destroyed

Rev. S. Robinson's HIGH SCHOOL FOR YOUNG LADIES,

AT FRANKFORT, KY.

THE third session of this Institution, will open on the This school, in a beautiful and retired location in South This school, in a beautiful and retired location in Frankfort, is now fully organized. The Princip devotes a large portion of his time and attention instruction of the classes, is aided by experienc accomplished teachers. Ample provision has bee of apparatus for illustration in the various departs.

Those who seek for their daughters and wards a thor Those who seek for their daugnters and wards a thorough and solid, as well as an ornamental education, are referred for testimonials to the large and highly competent committee of gentlemen who examined the classes during the last week of the session just closed.

Terms of Tuition, per Session. In the Seminary Department, Higher Preparatory Department, Lower Preparatory Department, Drawing and Painting.

No Extra Charges. The Latin and Modern Lan-Board, including washing, &c., per week. Arrangements are now in progress for receiving an additional number of pupils into the family of the Principal.

S. ROBINSON, Principal.
Frankfort, July 17, 1849-875

Walnut Hill Female Institute,

Lieut. Col. B R. JOHNSON. Professor of Mathematics and Natural Philosophy. [Educated at West Point.]

Major RICHARID OWBN, Professor of Natural History and Chemistry. [A pupil of Dr. Ure, of Glasgow.]

Mr. ALEX. SCHUEŁ, Adjunct Professor of Chemistry. [For 18 months a pupil of the celebrated Liebig.]

Rev. H. V. D. NEVIUS. A. M., Professor of Ancient Languages. [Educated at Princeton College, N. J.]

JAS. G. BLAINE. A. B., Adjunct Professor of Languages [Educated at Washington College, P. J.]

JAS. G. BLAINE. A. B., Adjunct Professor of Languages [Educated at Washington College, P. J.]

JAS. H. DAVIESS, Esq., Professor of Law. [A practitioner in the various Courts of Kentcky.]

Rev. J. R. SWIFT, Professor of Ethics and Belles Letters. [Educated at Yale College.]

Mr. E. A. CAMBRAY, Professor of Modern Languages. [Educated in the City of Paris.] ion of mind presented in a well regulated put tution. The location, in a neighborhood reman its intelligence and morality, is eminently favora successful course of mental and moral training Capt W. W. GAUNT, Adjutant of the Institute.

To secure the manifold advantage of health, economy, discipline, progress and moral training, the Faculty of this institution, have selected for its permanent location, the famous

Blue Lick Springs,

Situated on the Lexington and Maysville Turnpike, 24 miles from the latter place, and 40 from the former; emphatically a country location, being ten or twelve miles distant from any town or village. The bi idings are mostly new, well constructed for Garrison purposes, and ample for the accommodation of three hundred Cadets.

TERMS.

TERMS. Tuition in the Junior Class. \$15 00
Tuition in the Senior Class. 20 00
Board, including washing, &c., per session, 55 00
Music by Mr. Paul Schmidt, 25 00
25 00 the balance at the end of the sesson. In consequence the large addition that has been made to the building

Address, Lexington, Ky.
J. J. BULLOCK, Principal.

Fair Warning.

wise," &c.

P. S.—All those who wish to purchase LUMBER, are barehy actified that we are selling at very re-

ATTORNEY AT LAW.

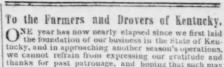
WILL Practice Law in Mercer and the adjoining Counties Harrodsburg, Sept. 1849.—885-19

DOCTOR ALEX. M. BLANTON. Determined to make Frankfort his permaner residence offers his services to the public. Office on St. Clair street, opposite the Branch Bank of Ken tucky.

July 6, 1847—769-ti.

Notice.

Interpretation of January—for example—to the third Friday of January—for example—to the first friday of January—for example—to the first friday of the death of January—for the first friday of the first fri



NE year has now nearly elapsed since we first laid the foundation of our business in the State of Kentucky, and in approaching another season's operations, we cannot refrain from expressing our gratitude and thanks for past patronage, and hoping that such may be continued to us.

We have made considerable improvements in our establishment, and will be prepared to execute twice as much work as last year, with much great of facility. We are about erecting a new Scalding Slaughter House, and enlarging our Singeing Bed to twice its original size, so we compute we shall now be enabled to slaughter with facility from 700 to 1,000 Hogs daily.

We have added considerably to our Hog Pens: all have seen re-floored and put in a thorough state of repair.

Our Commission Pork Packing Business will be continued as usual; and our drover friends will at all times find us most anxious to facilitate their views, and execute to the utmost of our ability, any business extend-

xecu'e to the utmost of our ability, any business extend

execure to the utmost of our ability, any business extended to our care.

In our last season's operations we had much to contend against in the shape of opposition, prejudice, and by malicious reports, &c. These obstacles have been triumphantly surmounted. Kentucky Farmers and Drovers have had an opportunity of proving that our business is conducted with liberality and fairness. We think they are satisfied, and can assure them it will be our aim to render them more and more so each successive year. essive year. We would call the attention of those larmers resi-

ting within range of our wagons, to our advertisement or Straw, in this paper. MILWARD & OLDERSHAW. Covington, Ky., June 19, 1849-871-6m

Pierson's Confectionery.

THE SUBSCRIBER takes this method of returning his thanks to the citizens of Frankfort and the public generally, for the liberal patronage extended to him for the last few months, and promises, if strict attention to business and good articles will ensure their custom, he will be found trying to deserve it.

He would also inform the Public, that he has obtained the services of Mr. BECK, a first rate Confectioner, just from New Orleans, and is now prepared to furnish PARTILES AND WEEDBINGS.

PARTIES AND WEDDINGS,

2 half pipes street of many,
2 half pipes J. J. Dupuy Brandy,
5 quarter casks Madeira Wine, assorted qualities;
5 quarter casks Sherry Wine,
1 quarter casks Port Wine, suitable for Medical purposes;
4 quarter casks Wheelhigh Gin," prime article;
2 quarter casks we lold Jimaica Rum;
1 quarter cask pure old Jamaica Rum;
10 bbls. good Copper distilled Whiskey; in store and for sale by [Sept. 11.] TODD & CRITTENDEN.

BOTTLED WINES.

BOTTLED WINES.

10 DOZ. "Cold Sherry," very delicate and light;
10 doz. South side Madeira, pure and nutty;
25 doz. genuine "Chateau Margeaux" Claret;
5 doz. pure old Port;
30 baskets Champaigne, assorted brands—Binninger's Mum," Brigham's Grape Leaf," "Cordon Blue."
These Wines are of the very best quality—si perfor to any thing ever in this market, and will be sold low.
Sept. 11. TODD & CRITTENDEN. 50 FLOUR!—MISSOURA:
150 do. best up country Family Flour. This is a strictly prime article made expressly for family use, and much superior to any brand of Indiana or Ohio Flour-much superior to any brand or

Straw! Straw!! We shall want a large quantity of Straw for our next year's singeing operations, and would therefore thus early invite the Farmers residing within a same their strains of the strain of the same their range of 15 miles about Covington, to save their WHEAT and RYE STRAW for us during the coming harvest. We shall keep wagons constantly employed to take the Straw immediately off the ground, so as to secure a large supply before the commencement of the sea

son.

Any Farmers wishing to dispose of their Straw will please apply personally or by letter to
MILWARD & OLDERSHAW,
Pork Packers and Com. Merchants, Covington, Ky.
June 19, 1849-871-6m. [ch M. & O.]

J. F. & B. F. Meek, MANUFACTURERS of fine FISHING REELS; CLOCKS; Time Pieces and Regulators, Frank-fort Kentucky. May 8, 1849.—865tf

Fresh Groceries, Liquors, &c. &c. JOYCE & WALSTON. HAVE JUST RECEIVED a large assortment of

perior Brandy, Maglore brand; 6 half pipes Cognac Brandy; 6 bbls. Cognac Brandy; 2 pipes pure Holland Gin; pipes superior Port Wine; pipes superior Maderia Wine

half boxes superior Gunpowder Tea 5 boxes Starch; 20.000 half Spanish Cigars; 12 doz. half boxes Sardines 5 bbls. double refined Loaf Sugar: 20 bbls. New Orleans Sugar;

10 bags old Government Java Coffee, 40 kegs No. 1, Lard. Also-A large resortment of STOVES, GRATES, COPPER, TIN and SHEET IRON WARE, and other

P. S. We will trade for Country Produce on liberal terms.

Frankfort, Sept. 18, 1849.—8841f Ketchum & Headington, ATTORNEYS AT LAW,

Office in Gazette Building, Main-street, between 3d and 4th streets. REFER TO—Thomas N. Lindsey, Esq., Frankfort, Ky.
Wm. D. Reed, Esq.,
Hon. A. K. Woolley, Lexington, Ky. M. C. Johnson, Esq. Lexington, Ky.
M. KETCHUM will go to Texas about the 1st of October next, and will attend to the collection of debts, and the recovery and locating of lands.

ebts, and the recovery and locating of Cincinnati, March 13, 1849.-857-19 R. P. LETCHER.

Letcher & Tilford, ATTORNEYS AT LAW, FRANKFORT, KENTUCKY, WILL attend jointly to business confided to them, in the different Courts holding their sessions in Frankfort, and the counties adjoining.

JFFolice on the West side of St. Clairstreet.
Frankfort, April 1, 1849—704-tf

Law Notice. JAMES MONROE, Attorney at Law, FRANKFORT, KENTUCKY,

WILL practice in all the Courts held in Frankfor and adjoining counties. Particular attention given to the collection of claims in surrounding counties and the preparation of the papers to insure Land War rants or Treasury Scrip of the volunteers. Office on St

C. S. Morehead & W. D. Reed, ATTORNEYS AT LAW, FRANKFORT, KY .. WILL practice Law in co-partnership, in the Court of Appeals, Federal Court, General Court, and Franklin Circuit Court. W. D. Reed will regularly practice in the Washington, Henry, and Owen Circuit

luring the business hours. Frankfort, April 1, 1849-599-tf Law Notice. JOHN P. BRUCE, Attorney at Law, BARBOURVILLE, KENTUCKY,
Will practice in all the Courts held in Knox,
Whitley, Laurel, Rockcastle, Clay and Harlan
counties.
August 28, 1849—881-tf

Office West side St. Clair street, and at all times open

20,000 Pounds Wool Wanted. THE subscriber wishes to purchase twenty thousand pounds good fleece, or tub washed wool, for which the highest market price will be paid in CASH, on delivery at his Factory in Midway, Ky.

JAS, W. MARTIN.

INSURANCE. THE LEXINGTON FIRE, LIFE AND MA-

CHARTERED IN 1836. CAPITAL--\$300,000.

W ILL insure Buildings, Furniture, Merchandize & c. against loss or damage by fire, in town or & damage of five navigation.

If The lives of Slaves are also insured by this Company.

II. 1. TODD, Agent.

May 22, 1849—867-tf

Protection Insurance Company of Hartford, Conn. The undersigned will issue policies on every description of Buildings and Goods, Wares a dad Merchandize, contained therein, against loss or dar ageby Fire, and on the cargoes of Steam Eoats, against the prills of the river, and on the cargoes of vessels against perils of the sea and lakes, on the most favor if the terms.

The high reputation of this Company for the prompt and satisfactory manner in which all losses are adjusted and paid, in connection with the low tates of premium, offer great inducements to such as wis a to insure. August 10.1847-774-tf.

H. WI NGATE, Agent.

LIFE INSURANCE. AN ACT to amend the Charter of the Nautilus Insurance Company, in the City of New York. Passed April 5th, 1849.

Sec. 1. The People of the State of New York, represented in Senate and Assembly, do enact as follows. The Nautilus Insurance Company shall hereafter be known as the New York Life Insurance to the said Company shall be confined to insurance on lives, and it may make all and every insurance appertaining to life, and receive and execute trusts, make endowf lients, and grant and purchase annuities.

PARTIES AND WEDDINGS, as usual, with all the delicacies required on party occasions. His ICE CREAM SALOON is stifl open for the reception of Visitors, and every attention required will be paid to the Ladies and Gentlemen who may honor him with a call.

August 14, 1849.

NAILS: NAILS::

75 20 kegs Fencing Nails, &d. and Idel; in store and for sale by [Sept. II.] TODD & CRITTENDEN.

TABLE CUTLERY.

10 Sets best quality lvory handled Knives and Forks, 50 set Buck, Wood and Horn Handled Knives and forks, various qualities and prices; in store and for sale by [Sept. II.] TODD & CRITTENDEN.

HAVANA SEGARS.

25,000 FIRST quality Havana Segars, asserted by [Sept. II.] TODD & CRITTENDEN.

LIQUORS, BRANDIES, WINES, &c.

4 HALF pipes superior Brandy, "Otard" and "Sarze tara;"

2 half pipes J. J. Dupuy Brandy;
5 quarter casks Nadeira Wine, assorted qualities:
5 quarter casks Sherry Wine, do. do;
1 quarter casks Port Wine, suitable for Medical purposes; 4 quarter casks pure old Irish Whiskey;
1 quarter casks pure old Irish Whiskey;
1 quarter cask pure old Jamaica Rum;
10 bbls. good Copper distilled Whiskey; in store and 10 bbls. good Copper distilled Whiskey; in store and 10 bbls. good Copper distilled Whiskey; in store and 10 bbls. good Copper distilled Whiskey; in store and 10 bbls. good Copper distilled Whiskey; in store and 10 bbls. good Copper distilled Whiskey; in store and 10 bbls. good Copper distilled Whiskey; in store and 10 bbls. good Copper distilled Whiskey; in store and 10 bbls. good Copper distilled Whiskey; in store and 10 bbls. good Copper distilled Whiskey; in store and 10 bbls. good Copper distilled Whiskey; in store and 10 bbls. good Copper distilled Whiskey; in store and 10 bbls. good Copper distilled Whiskey; in store and 10 bbls. good Copper distilled Whiskey; in store and 10 bbls. good Copper distilled Whiskey; in store and 10 bbls. good Copper distilled Whiskey; in store and 10 bbls. good Copper distilled Whiskey; in store and 10 bbls. good Copper distilled Whiskey; in store and 10 bbls. good Copper

ompt ny.

SEU. 6. The statement required to be made by the act

SEC. 6. The statement required to be made by the act amending the charter of said Company, passed April 18, 1843, shall hereafter be made within thirty days after the first day of January in each year.

SEC. 7. The change of name of the corporation shall not prejudice the rights of any person, dealer or assured, but suits may be sustained by or against the Company in tits present corporate name on any former policy or liability; and any act or contract of the Company under the charter hereby amended, not inconsistent with the provisions hereof, shall be adjudged valid between all parties, and all provisions of the charter hereby amended inconsistent with this act are hereby repealed. FOURTH ANNUAL REPORT. During the year ending April 16th, 1849, 1,821 policies

Premiums during the same period amounted to DISBURSEMENTS. DISBURSEME
Amount paid for salaries, fees to
Physicians and Trustees, Clerk
hire, &c.,
Amount paid for re-insurances,
Advertising, Office rent, Print
ing, Stationery, Furniture, Interest on guarantee capital,
&c., &c.
Amount paid to Agents for \$7,761 45

change, &c., .

Fourth year

3,239 23 Amount paid to Agents, for Commissions, State Taxes, Medical Examinations, Ex-13.384 00

\$24,384 68 for payments in advance of the 39,949 59 Nett Balances of Premiums for the year, . 877.856 78 Cash on hand. United States and New York State Stocks, Bonds and Mortgages, Notes received for 40 per cent, of premium on Life Policies,

\$165,937 69 subscription notes, the remainder of antee capital unused by premiums, Amount liable for losses Number of New Policies Issued. First year, Second year, Third year,

Whole number of Policies issued Amount of Premiums, first year

\$22,622 71 41,746 41 71,677 66 142,191 05 miums for four years. \$278,237 83 From which deduct amount of disburse-ments for four years, 112,300 14 Balance of premiums above disbursements, \$165,937 69

1821

Balance of premiums above disbursements, \$105,927 69

The Board of Trustees have this day declared a Dividend of Farty per cent. on the amount of Premium on policies that have run for twelve months, and in papertion for shorter periods of time to be credited on the books of the Company, and for which certificates will be issued, in accordance with the charter.

They have likewise declared an interest of Six per cent. on the amount of previous dividends, payable in cash.

MORRIS FRANKLIN, President.

PLINY FREMAN, Actuary.

PLINY FREMAN, Actuary. PLINY FREEMAN, Actuary.

The rates of insurance on One Hundred Dollars. Age. One Year. 1 12 1 36 1 53 1 83 1 96 2 09 3 21 4 91

For policies granted for the whole term of life, when the premium therefor amounts to \$50—a note for 40 per cent with interest at 6 per cent.—without guaranty, may be received in part payment, or if may be paid in cash, in which case it is expected, should the party survive to make 13 annual payments, leaving the dividends to accumulate—the policy will be fully paid for, and the accumulation ultimately added to the policy.

All its profits accrue to the credit of the dealers, and are divided annually among them, whether the policy be issued for a limited period or for the whole term of life, a feature unknown in the charter of any other Mutal Life Insurance Company incorporated by this State.

For further information, the public are referred to the pamph'ets, and forms of proposal, which may be obtained at the office of the Company, or any of its Agencies.

The undersigned having been appointed Agent for the above Company, is prepared to take risks on Lives as low as any office in the East or West.

Transfer the East of West.

Property attended to.

Proses adjusted in this town without delay. Office at the Frankfort Branch Bank. H. WINGATE, Agent.

Dr. Lewis Sneed, Medical Examiner. Frankfort, Ky., June 15, 1849. Removal. THE POST OFFICE has been removed to the S. E. corner of Broadway and Lewis streets, in the building occupied by B. F. Johnson.

B. F. JOHNSON, P. M. Frankfort, August 7, 1849-878-tf

Dissolution THE Partnership of R. C. SLEELE & CO., is this day dissolved by mutual consent. H. P. NEWELL having purchased the interest of R. C. Steele, will continue the business at the same place.

The business of the firm will be settled by H. P. New-

H. P. NEWELL. R. C. STEKLE & CO.

Sept. 1, 1849.—882-tf.